

Growth Management Council Hearing

2-5-92

CITY OF FRESNO

Friday, July 19, 1991 - 9:00 am to 3:30 pm

AGENDA

- I. Introduction of Growth Management Council Panel Members
- II. Words from the Chair
- III. Scheduled speakers (see panels below)
- IV. Non-scheduled speakers

Panel 1

The Honorable Karen Humphrey - Mayor, City of Fresno

The Honorable Deran Koligian - Fresno County Board of Supervisors

The Honorable Brian Setencich - Councilmember, City of Fresno

The Honorable Peter Carey - Councilmember, City of Visalia

Panel 2

Nick Yovino - City of Fresno, Community and General Planning

Richard Welton - Fresno County Public Works

Phil Block - City of Merced, Planning Department

George Finney - Tulare County, Planning and Development Department

Tony Whitehurst - Merced County Planning Department

Michael Paoli - Paoli and Associates

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Panel 3

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David Bugher - City of Coalinga

Dr. John Holmes - no affiliation

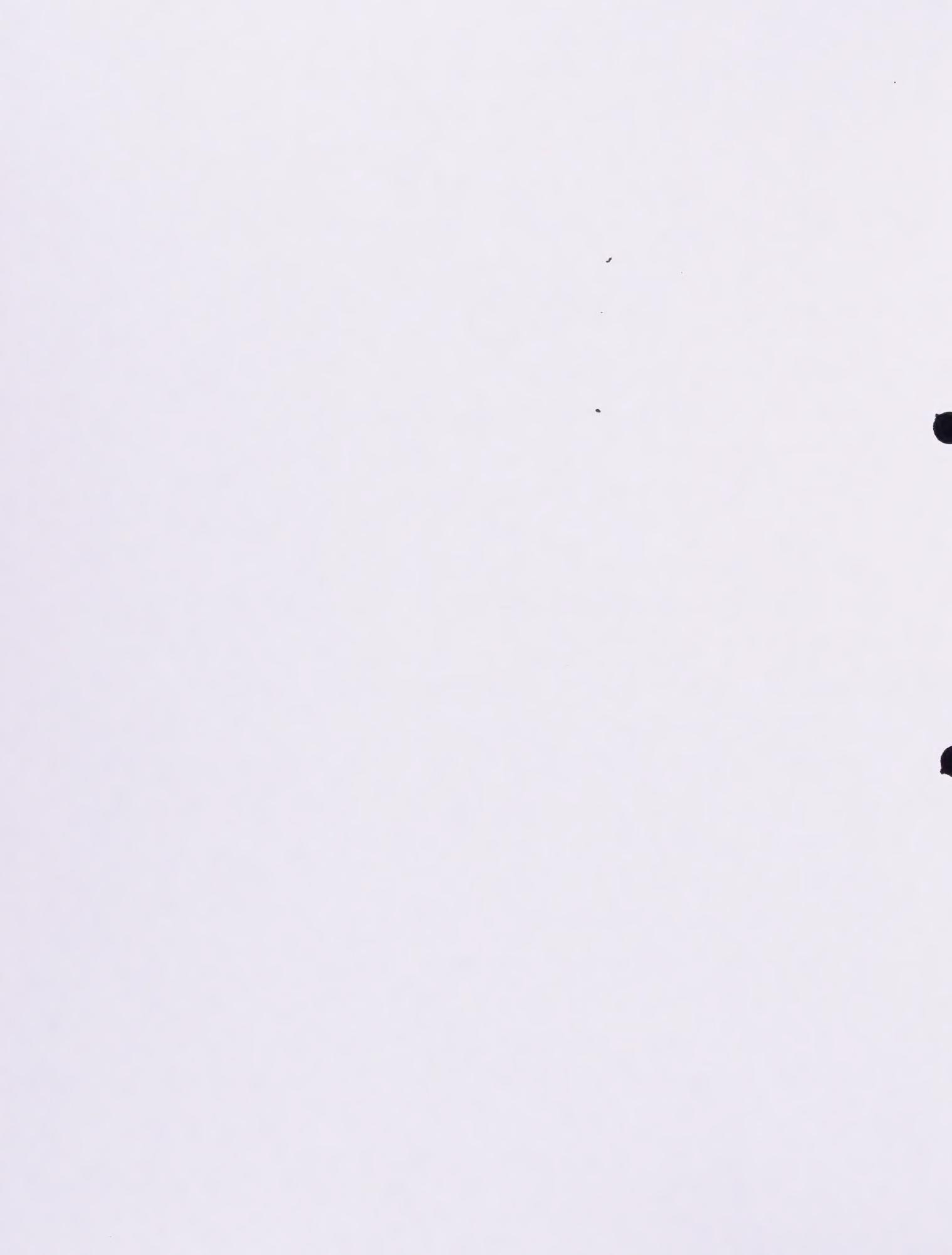
Gina Hill - League of Women Voters of Fresno

Dave Koehler - San Joaquin River Parkway & Conservation

R. Douglas Vogl - San Joaquin River Committee

Dr. Patricia Calim-Falcone - University of California, Fresno Committee

Richard Geringer - Fresno County Farm Bureau



Mike Wade - Merced County Farm Bureau

Laurena Johnson - Tulare County Farm Bureau

Maxwell Norton - Merced County Chamber of Commerce

BREAK

Panel 4

Raymond Gentry - Gentry and Associates

Peter Morgenson - SOMPM, Inc.

Robert Dyer - American Institute of Architects

Dirk Poeschel - Dirk Poeschel Land Development Services

John Tow - QUAD Consultants

Panel 5

Bud Armstrong - Fire Districts Association of California

Linda Falasco - Central Valley Rock, Sand & Gravel Association, Inc.

William Leifer - Apartment Association of Greater Fresno

Joni Johnson - Fresno Neighborhood Alliance

Don Manro - Citizens for a Healthy Environment

Barbara Salcido - Sierra Club, Air Quality Chair

Esta Mott - California Rural Legal Assistance

Marcie Williams - no affiliation

Panel 6

Jeff Harris - Building Industry Association

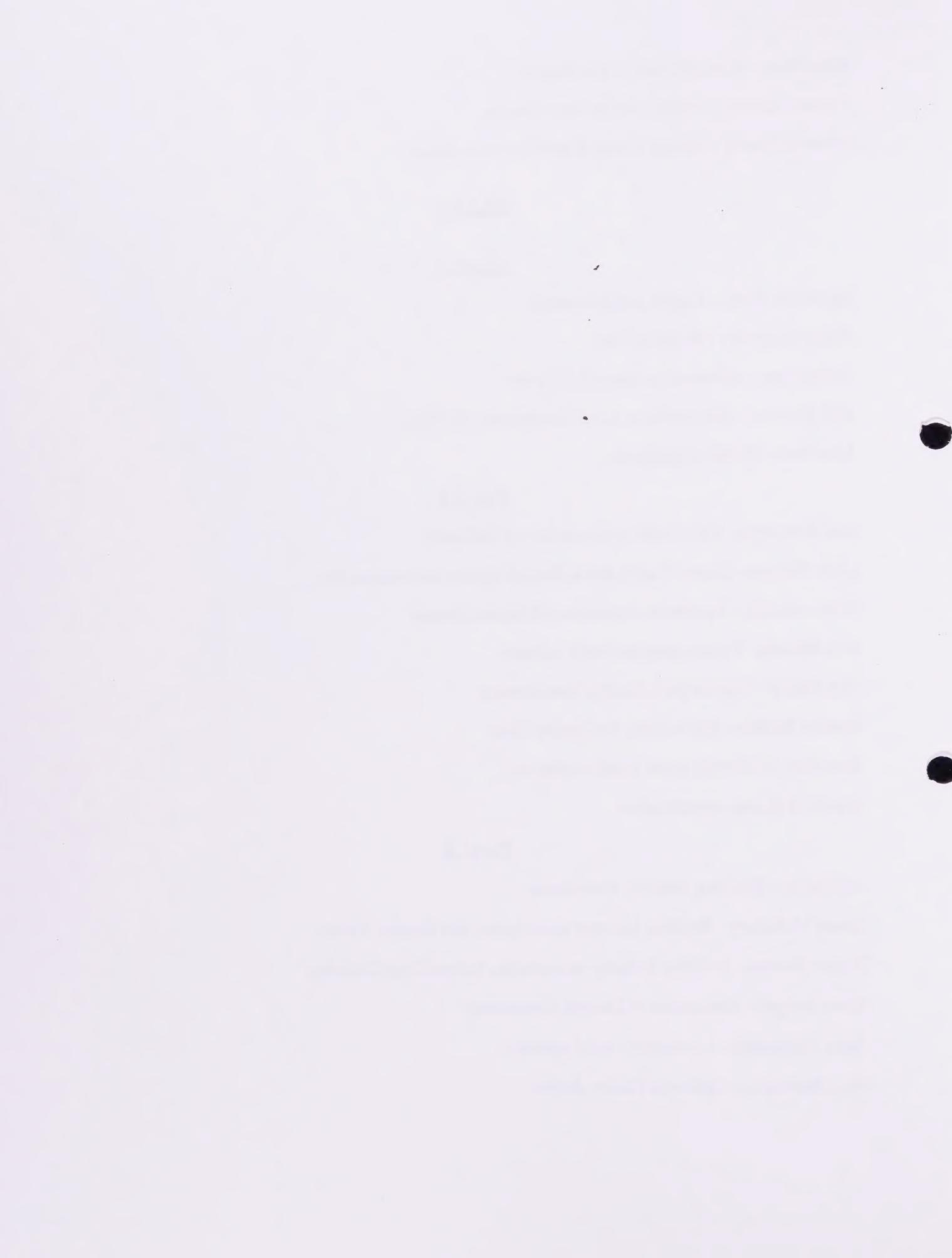
James McKelvey - Building Industry Association, San Joaquin Valley

Robert Keenan - Building Industry Association, Tulare/Kings Counties

Donn Sawyer - Association of General Contractors

Mike Licciardello - Licciardello and Associates

Nora Benavides - California Citizen Action



Additional Written Comments Submitted for Record

John R.Wright - Planning Director

Mari Locke Martin/Stacie Hanson - California Women for Agriculture



GOVERNOR'S INTERAGENCY COUNCIL ON GROWTH MANAGEMENT
Fresno City Council Chambers, July 19, 1991

The fourth of thirteen statewide hearings by Governor Pete Wilson's Growth Management Council was held July 19, 1991 in Fresno. Richard Sybert, Chairman of the Council and Director of the Governor's Office of Planning and Research, opened the hearing with a brief statement regarding the responsibilities of the Council and the importance of this issue to the Governor. In addition to Mr. Sybert, the Council was represented by Gregory Cox, Deputy Director for Local Government at the Governor's Office of Planning and Research; Ira Goldman, Special Assistant to the Governor; Robert Cervantes, Chief of the Planning Division at the Governor's Office of Planning and Research; Robin Otten, of the Governor's Fresno District Office; and Louis Beck, San Joaquin District Chief of the Department of Water Resources.

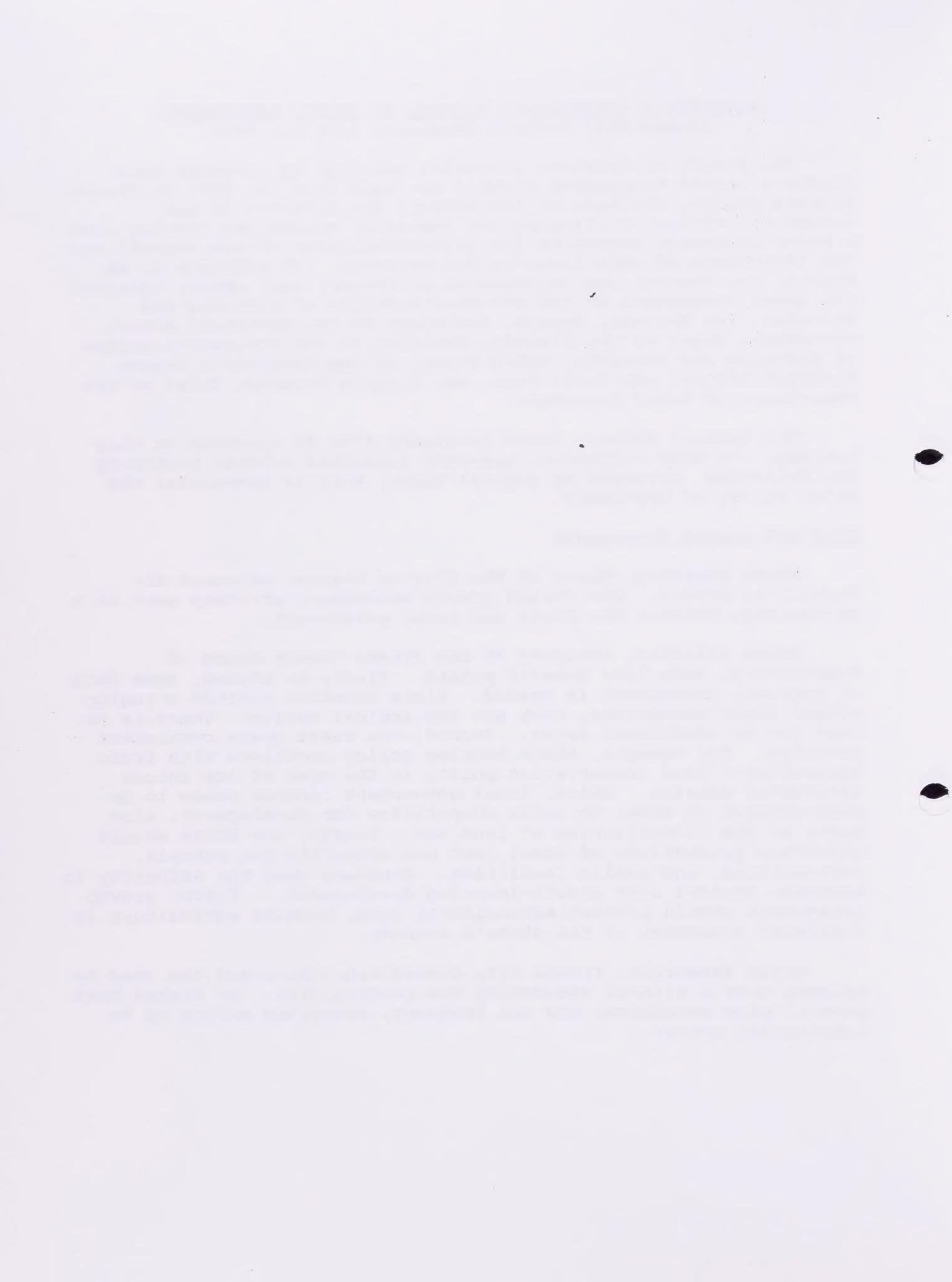
The Council members heard testimony from 39 speakers at this hearing. In most instances, speakers submitted written testimony. The following, arranged by general topic, briefly summarizes the major points of testimony.

City and County Government

Karen Humphrey, Mayor of the City of Fresno, welcomed the Council to Fresno. She stated growth management strategy must be a partnership between the State and local government.

Deran Koligian, Chairman of the Fresno County Board of Supervisors, made five general points. First, he stated, some form of regional government is needed. Since counties include a region within their boundaries, they are the logical choice. There is no need for an additional layer. Second, the State needs consistent policies. For example, State housing policy conflicts with State agricultural land conservation policy in the area of low income farmworker housing. Third, local government finance needs to be restructured in order to avoid competition for development, also known as the fiscalization of land use. Fourth, the State should eliminate preemptions of local land use authority for schools, universities, and public facilities. Counties need the authority to exercise control over growth-inducing development. Fifth, growth management should protect agricultural land, because agriculture is a sizable component of the State's economy.

Brian Setencich, Fresno City Councilman, discussed the need to balance growth without abandoning the central city. He stated that general plan amendments are too frequent, sometimes adding up to substantial change.



Planning

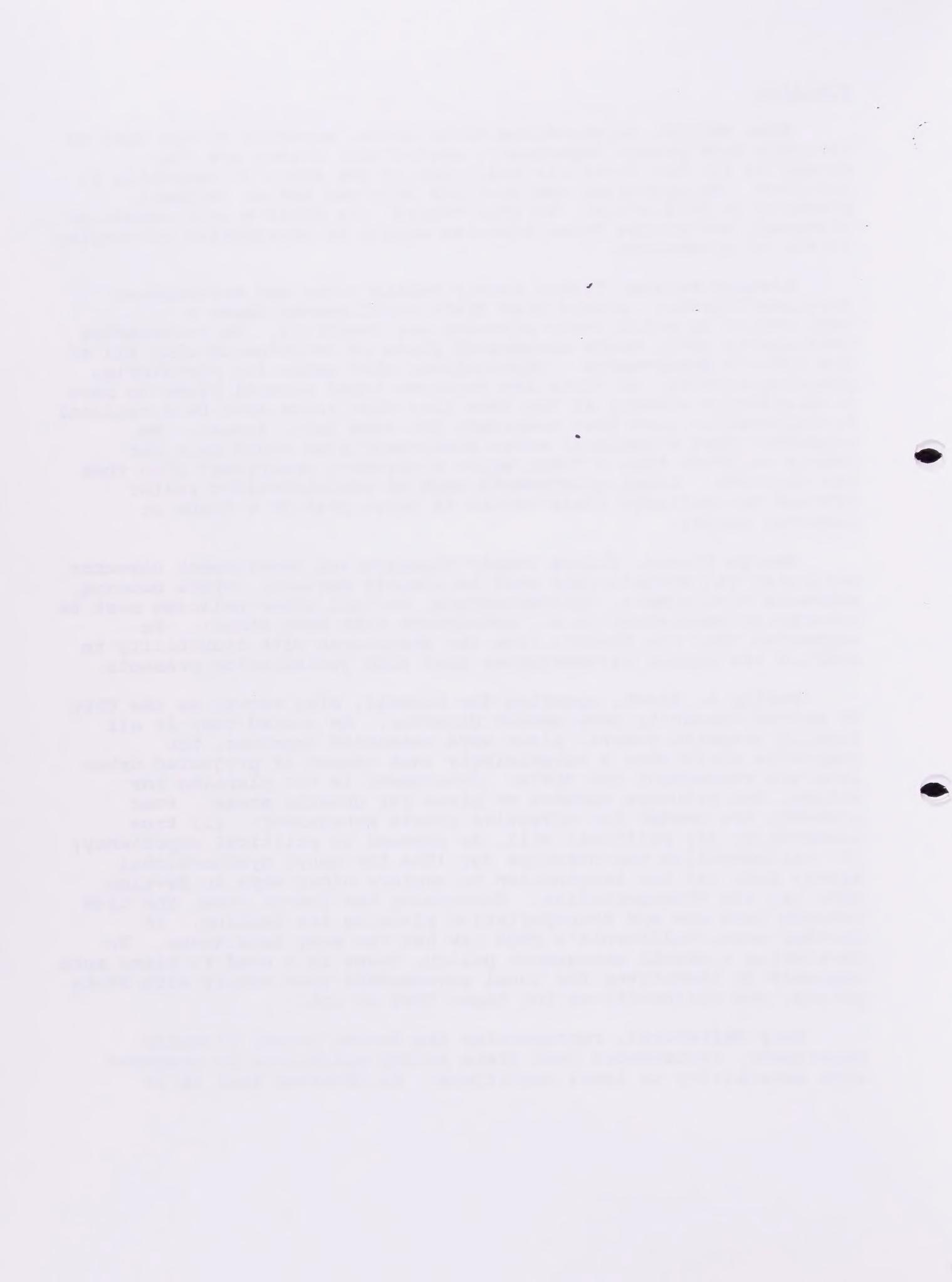
Nick Yovino, representing Alvin Solis, Director of the City of Fresno's Development Department, stated that Fresno has the potential for the worst air pollution in the state if something is not done. He expressed the need for more and better regional planning in California. In this regard, the State's role should be elevated, and single focus agencies should be coordinated at varying levels of government.

Richard Welton, Fresno County Public Works and Development Services Director, stated that State requirements cause a duplication of solid waste planning for landfills. He recommended that county solid waste management plans be coordinated with all of the State's departments. Duplications also exist for circulation planning efforts, as state law requires local general plans to have a circulation element at the same time that there must be a regional transportation plan that considers the same local issues. He suggested that a regional water management plan would be a far better solution than a "best water management practices" plan that has no teeth. Local governments need an administrative relief process to challenge State review of local plan or a State or regional policy.

George Finney, Tulare County Planning and Development Director, said that the State's role must be clearly defined. State housing, economic development, infrastructure, and all other policies must be internally consistent (i.e., consistent with each other). He suggested that the Council look for structures with flexibility to address the unique circumstances that each jurisdiction presents.

Philip W. Block, speaking for himself, also serves as the City of Merced Community Development Director. He stated that if all locally prepared general plans were assembled together, the composite would show a surprisingly vast amount of projected urban land use throughout the State. Government is not planning for cities, but prepares updates of plans for growing areas. Four elements are needed for effective growth management: (1) true leadership; (2) political will, as opposed to political expediency; (3) collaborative partnerships for (the too many) dysfunctional areas; and, (4) the imagination to explore other ways to develop land use and transportation. Concerning the fourth item, the ties between land use and transportation planning are lacking. In another area, California's CEQA law has too many imbalances. In developing a growth management policy, there is a need to place more emphasis on incentives for local governments that comply with State policy, and disincentives for those that do not.

Tony Whitehurst, representing the Merced County Planning Department, recommended that State policy guidelines be prepared with sensitivity to local conditions. He observed that it is



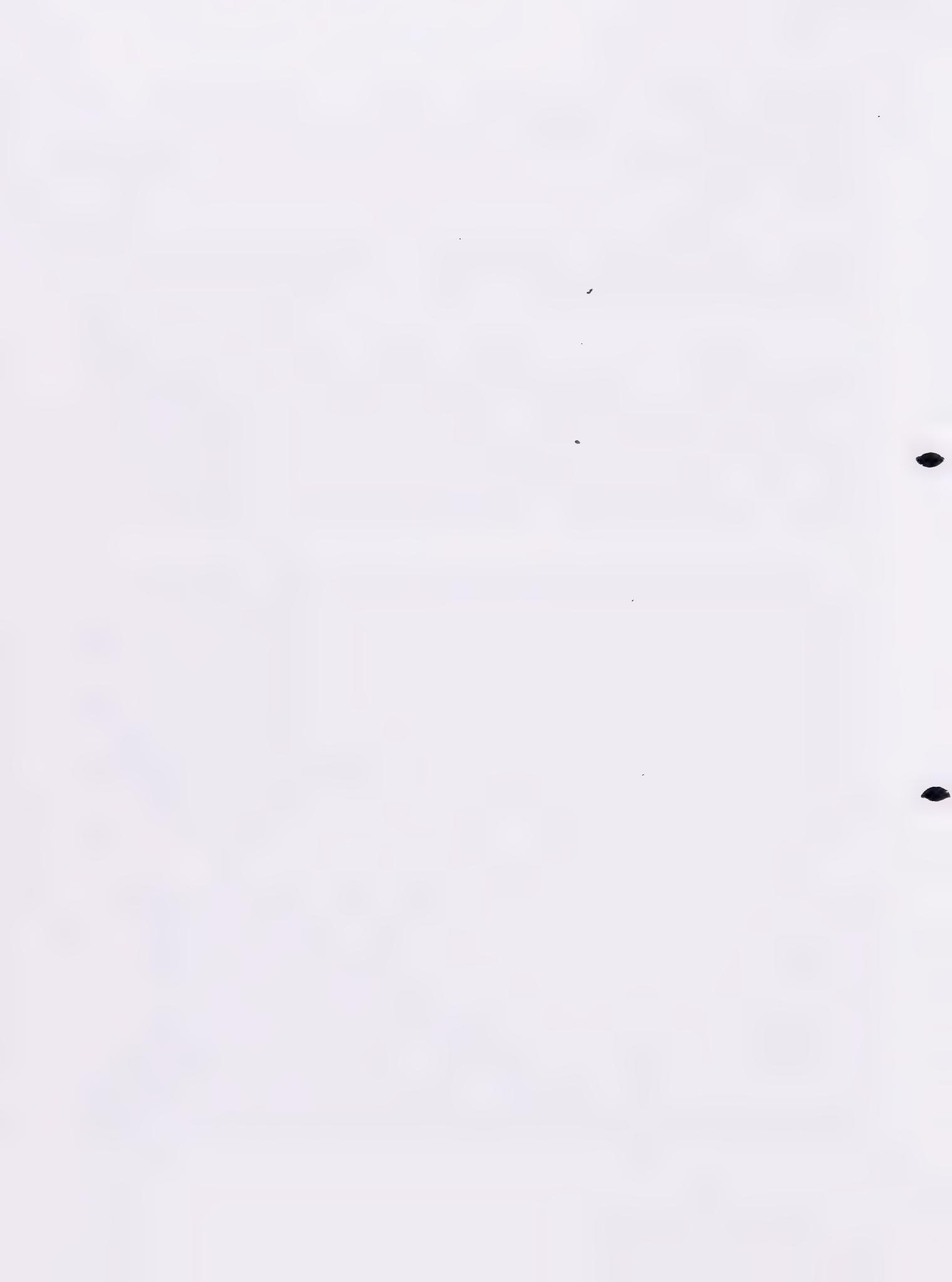
impossible to mandate cooperation. Further, urban-based and politically-based limitations should not be placed on rural jurisdictions. As successful growth management policy is developed, the Council should not allow the Legislature to lead or interfere in order to protect local interests. When defining the region, the Council should let the problem answer the question.

David Bugher, Coalinga Planning Director, discussed his city's economic development and redevelopment successes after its devastating 1983 earthquake, coupled with proactive planning for wildlife habitat conservation. People will stop coming to California when it is no longer a desirable place to which to come.

John Wright, Clovis Planning Director, asserted that the State needs to take a more active role in defining where growth and development should occur within California, then use its resources to help with implementation. He suggested a comprehensive plan for the eastern edge of the Central Valley in order to accommodate new housing, and direct new growth to the less productive areas in the Valley and along the foothills without eliminating valuable farm land. He encouraged a State partnership with local planning agencies, which in the end bear responsibility for carrying out much of the State's policies.

Michael Paoli, of Paoli and Associates, stated that before the Council creates a statewide regime, it should first evaluate the effectiveness of local planning. Statewide and local planning must be coordinated and compatible. Regional planning has been conducted largely by single purpose agencies that do not coordinate well with each other or with local planning agencies. New state mandates should consider additional day-to-day work to implement them. At the same time, there should be no sacred cows. All applicable State laws--planning law, zoning law, and CEQA alike--should be subject to rigorous evaluation and, if necessary, changed before new planning regulations are adopted or new growth management planning agencies created. State, regional, and local growth management should be natural-resources oriented, with attention also to human resources (e.g., police, schools, etc.). Californians need to learn to plan and grow within our means.

Peter Mogenson, representing SOMPM, Inc., recommended that growth be managed to preserve, on a permanent basis, open space, natural resources, and a balanced, prosperous human environment. He also recommended reducing dependence on the automobile through increased public and pedestrian transit options. Urban sprawl should be eliminated by some sort of urban growth boundaries or strict land use tiering; balanced and compact development is necessary to contain sprawl. He suggested three categories of development approval in priority order: (1) infill of existing communities; (2) expansion of existing communities as closely as possible to existing urban areas; and (3) new communities only when there is no convenient settlement area to which to attach, or when a group with different ideas and community goals desires independence from existing residents.

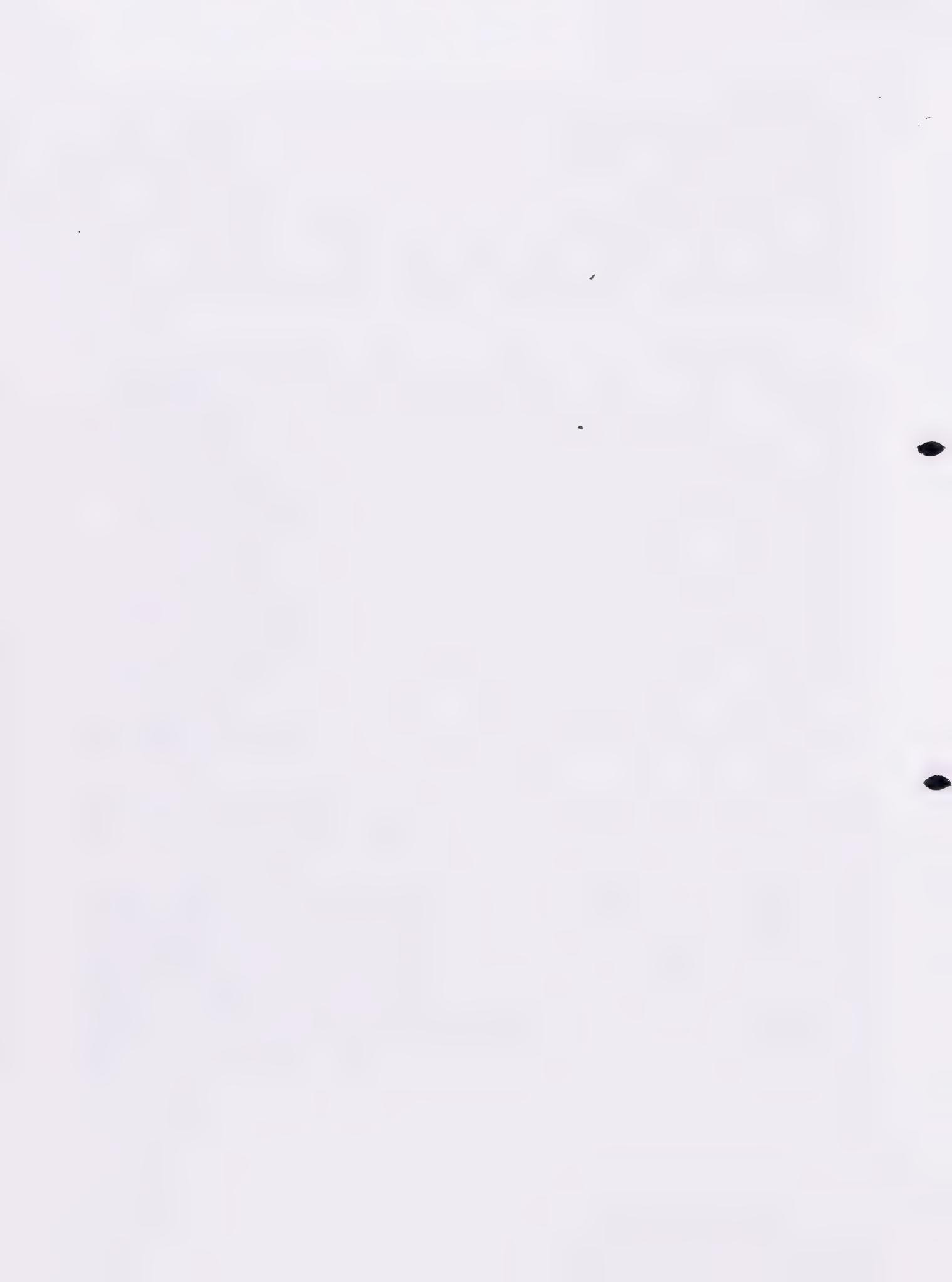


Bob Dyer, a Visalia architect representing the Sequoia Section of the American Institute of Architects, offered a definition of growth management: comprehensive regulation, on a regional scale, of environmental resources and service systems upon which population growth and economic conditions in the region are imposing exceptional demands. Following from this definition, he recommended that enabling legislation provide for a "regional growth management consortium" that contracts between city, county, and State governments for funding, geographic responsibilities, and performance levels, among other things. Accompanying such legislation would be the designation of a "trial region" or pilot program.

Dirk Poeschel, of Dirk Poeschel Land Development Services, recommended that a public agency be required to inform property owners via direct notice, before any public hearing is held, of its intent to study or acquire property for public use. Negotiations to determine appropriate project mitigation measures often require participation by various agency representatives, who have access to sensitive information. In some instances, representatives who are party to agency negotiations have publicly opposed the very settlement on which they worked on the State's behalf to create. This represents bad faith negotiation and places the project proponent at an unfair disadvantage. Further, it blurs the agency's responsibility. To remedy this, a public agency's negotiation participants should be banned from appearing publicly in opposition to any project in which they participated on any public agency's behalf. There should also be definite time limits by which specified steps in the EIR process take place, with consideration also given to require a maximum time in which to prepare an EIR.

John Tow, of QUAD Consultants, stated that State policies are inconsistent. He recommended that the State consider carefully at which governmental levels growth management should be structured.

Mike Licciardello, of Licciardello and Associates, stated that the fiscal impact side of growth management should not be ignored. He noted that the farther away growth management plans are from the grass roots, the more likely they are to be insensitive and ineffective. He recommended that the Council: (1) look at the growth impacts that have detrimental effects; (2) help assure that the mitigation for those effects is both realistic and attainable; (3) consider the benefits that are eliminated by the implementation of growth-limiting standards; and (4) attempt to balance the losses to a community from any actions. He added that the process should not: (1) set standards that are not or cannot be tailored to match the needs of a local community; (2) regulate matters that are not absolutely essential to the general health and welfare; (3) address local design standards on overall use of land, open space, or other



visual quality of life issues; and (4) regulate items that can be regulated locally.

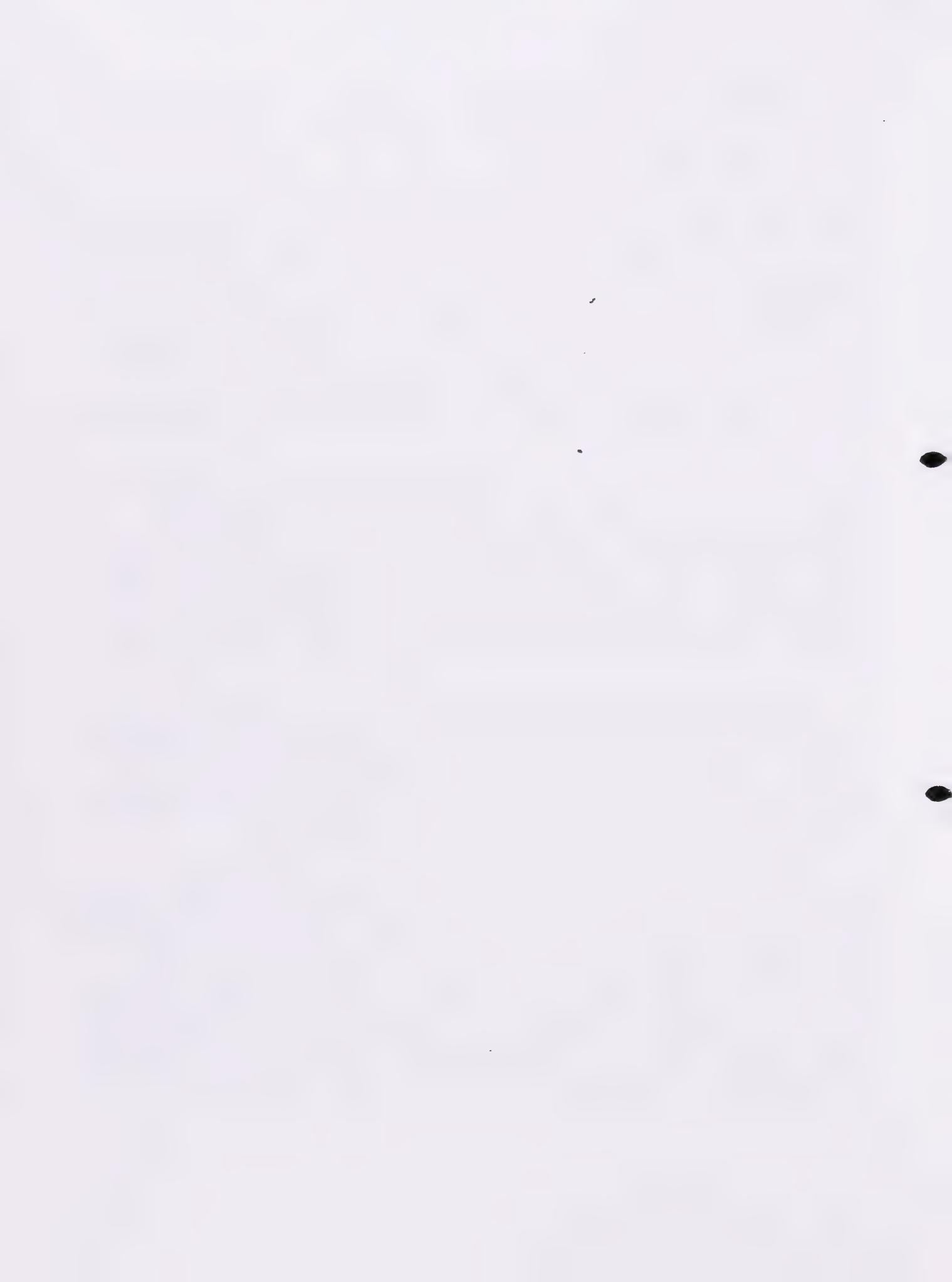
Housing/Development Industry

Peter Carey, Visalia City Councilman also representing Self Help Enterprises, a non profit housing corporation, indicated that rural low income housing needs to be made available on a wider basis. Communities have met less than 16% of their "fair share" housing goal. There is not enough redevelopment agency sponsored affordable housing. In addition, Article 34 of the California Constitution has the effect of strangling affordable housing opportunity. More subsidies for affordable housing are needed, as well as ongoing support for strong housing policy. There should also be a return to a more equitable basis of financing infrastructure. The lack of affordable housing is driving jobs out of the state. Mortgage exemption funds could be tapped to finance affordable housing.

Bill Liefer, President of the Apartment Association of Greater Fresno, said there is a need to assure that not all low income housing is placed in one spot. Government restrictions have depressed the value of existing rentals and discourage multi-family housing construction. There needs to be some method of equitably distributing taxes in order to minimize rent increases, but rental owners should not be the tax collector. Without alternative and more equitable means of financing municipal services, rents cannot be kept reasonably low in the San Joaquin Valley. Further multi-family housing development should be encouraged in the older areas of town.

Esta Mott, California Rural Legal Assistance staff attorney, stated that about 240,000 seasonal migrant farmworkers earn roughly on average \$7500 per year in the seven-county San Joaquin Valley region. She recommended that the State apply greater pressure to provide low and moderate income housing through the housing element. Her office does not have enough staff to sue cities with housing elements that do not comply with housing element law.

Raymond Gentry of Gentry and Associates, representing the Building Industry Association of Tulare and Kings Counties, asserted that development fees are getting out of hand. He suggested that the general public should shoulder the lion's share of the costs for basic community services and facilities and the operation and maintenance of existing services. He also observed the misuse of the California Environmental Quality Act to stop projects that have withstood all other local requirements and scrutiny. The general plan update process is becoming too cumbersome and too costly; there should be a mechanism to assure compliance with an established time frame. Growth management policies should provide a better balance of techniques to encourage affordable housing, rather than techniques to limit it.



Robert Keenan, also representing the Building Industry Association of Tulare and Kings Counties, said that between 20 to 30% of the cost of new housing in the Tulare-Kings area is generated by government-imposed regulations, unreasonable standards, red tape, delays, and growth restrictions. In many areas, additional fees for schools transportation, streets, sewer, parks, etc. equal the actual costs of the raw land. He stated that AB 1600 is rife with inequities. For example, fees are used to pay for police uniforms, bullets and car tires, but not the officer's salary. Nevertheless, the officer may not even be stationed in the new subdivision, but instead in a higher crime area. Future state growth management policies should be fairly drawn and encompass the necessary areas of concern while providing for a solid economic and market-oriented base. The State should require local entities to develop a growth management plan, as is done now with housing elements (sic). Such plans should be designed to handle growth in a positive manner rather than in the present restrictive manner.

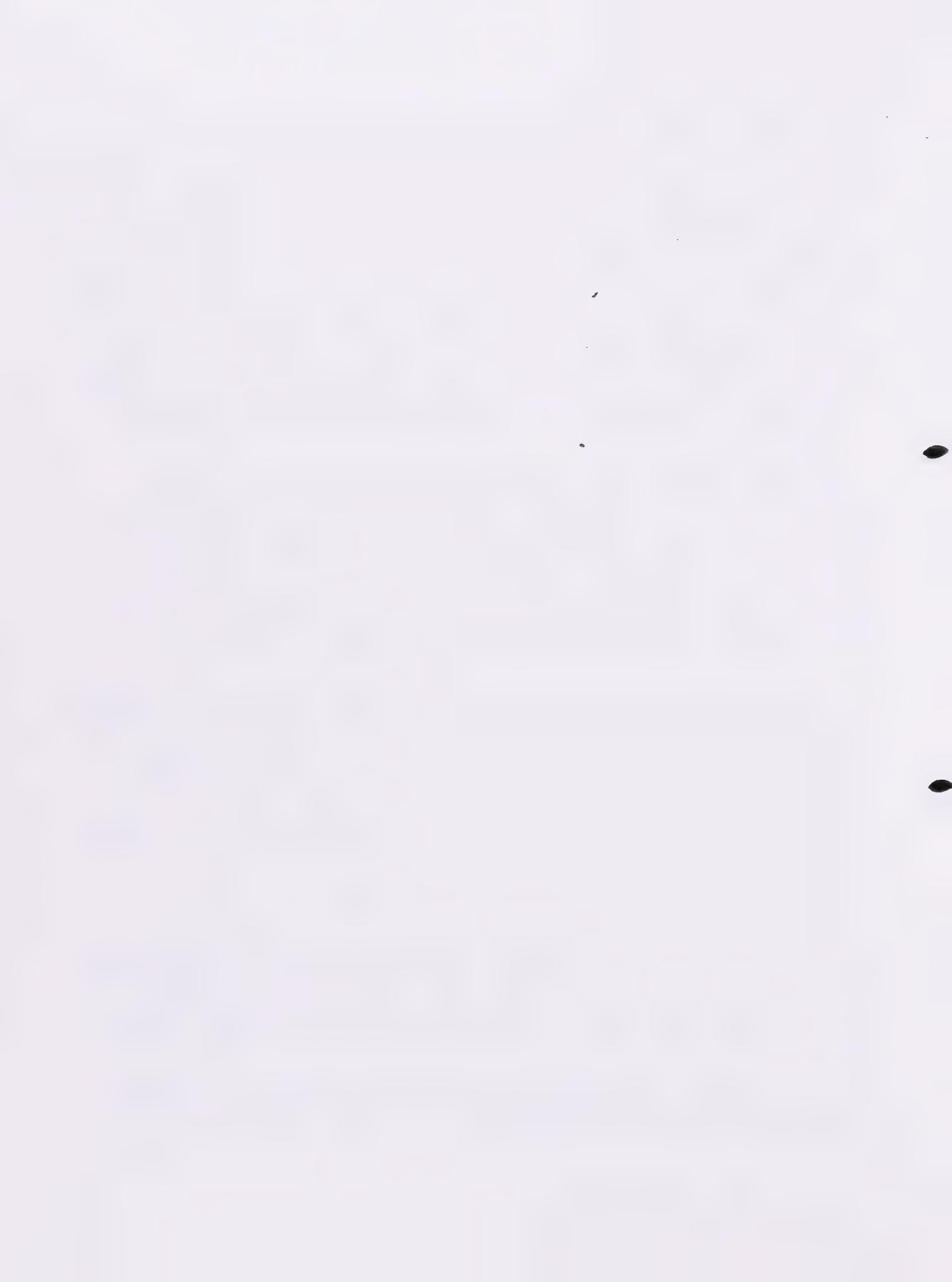
Jeff Harris, Vice President of the Building Industry Association of the San Joaquin Valley, stated that the Council should look first to market-based solutions which allow for consumer preference. It is essential to keep housing supply in balance with demand, and remove excessive fees or restrictions. Affordable housing is essential to a growth management policy. The state should enact internally consistent and integrated Statewide goals and policies which provide clear and uniform direction to local governments. Recommendations should include incentives, since incentives are a tried and true way of achieving compliance.

James McKelvey, an attorney representing several developers and the Building Industry Association of the San Joaquin Valley, stated that growth cannot be stopped--it is here to stay, since we cannot build a wall around cities or mandate birth control, or other measures. A legal quagmire has resulted from so many agencies' regulatory procedures. An example of this legal gridlock is one client's project that required seventeen permits. Even environmentalists have been frustrated trying to get just a parkway approved. The Council should look at the system we have in place now before creating a new one, such as AB 3.

Natural Resources/Environmental Organizations

Dave Koehler, representing the San Joaquin River and Parkway and Conservation Trust, described the trust's goals and asked that various State agencies help the trust to establish a parkway, protect the flood plain, maintain the riparian corridor, preserve archaeological and historic sites, and maintain fisheries and quality recreation.

Don Manroe, representing Citizens for a Healthy Environment, urged more citizen participation in local government in order to prevent unsound public decisions.



R. Douglas Vogl, President of the San Joaquin River Committee, requested the State recognize the San Joaquin River and river bottom area as a critical resource by taking leadership to prevent sprawl from taking the remainder of the best arable land with it, and depleting water resources.

Barbara Salcido, representing the Sierra Club's Air Quality Task Force, stated that the indirect source review rule is only an indirect way of achieving improved air quality. She added that the rule needs to be tightened up. Greenbelts and pre-planned open areas are preferable growth alternatives. Another desirable growth alternative is densification along traffic corridors.

Marcie Williams, representing Central Valley Safe Environment Network, stated that we have reached our holding capacity and need to limit immigration. There is no need for a new, growth-inducing University of California campus in the Central Valley region, because a good higher education is already available here.

Infrastructure

Donn Sawyer, representing the Association of General Contractors, stated that his organization supports an infrastructure-based approach to growth. We must gain additional water storage facilities to accommodate future growth. Fees are burdensome and counterproductive in most cases. The State is responsible for creating a proper environment for growth.

Agriculture

Richard Geringer, representing the Fresno County Farm Bureau, said that the State should not create another layer of government. Instead, the State should let development remain a local function. The State should let agriculture participate in development policy.

Mike Wade, Merced County Farm Bureau Executive Director, declared that the State must protect agricultural land. State policies are too dispersed, and should be reassembled for coherency and ease of use. The Farm Bureau recommends: (1) that agricultural elements be mandatory in county general plans; (2) that the State enforce its right-to-farm policy and require adoption of local ordinances with real estate disclosures for property buyers; and (3) that the 1% tax limit under Proposition 13 not be increased. The Farm Bureau opposes regional government, but finds the concept appropriate when metropolitan areas cross county lines, or when other transportation corridors inextricably link neighboring counties' patterns of growth.

Lorena Johnson, representing the Tulare County Farm Bureau, presented three recommendations: (1) priority must be given to improving air quality, water quality and quantity, open space maintenance, and agricultural land preservation; (2) State policy should require infill of present urban boundaries before they can be



extended, and higher population densities within those boundaries; and (3) counties should have the ability to join together, if they so choose, to form an autonomous regional coalition with power to establish development policy, as opposed to a State agency to mandate and regulate.

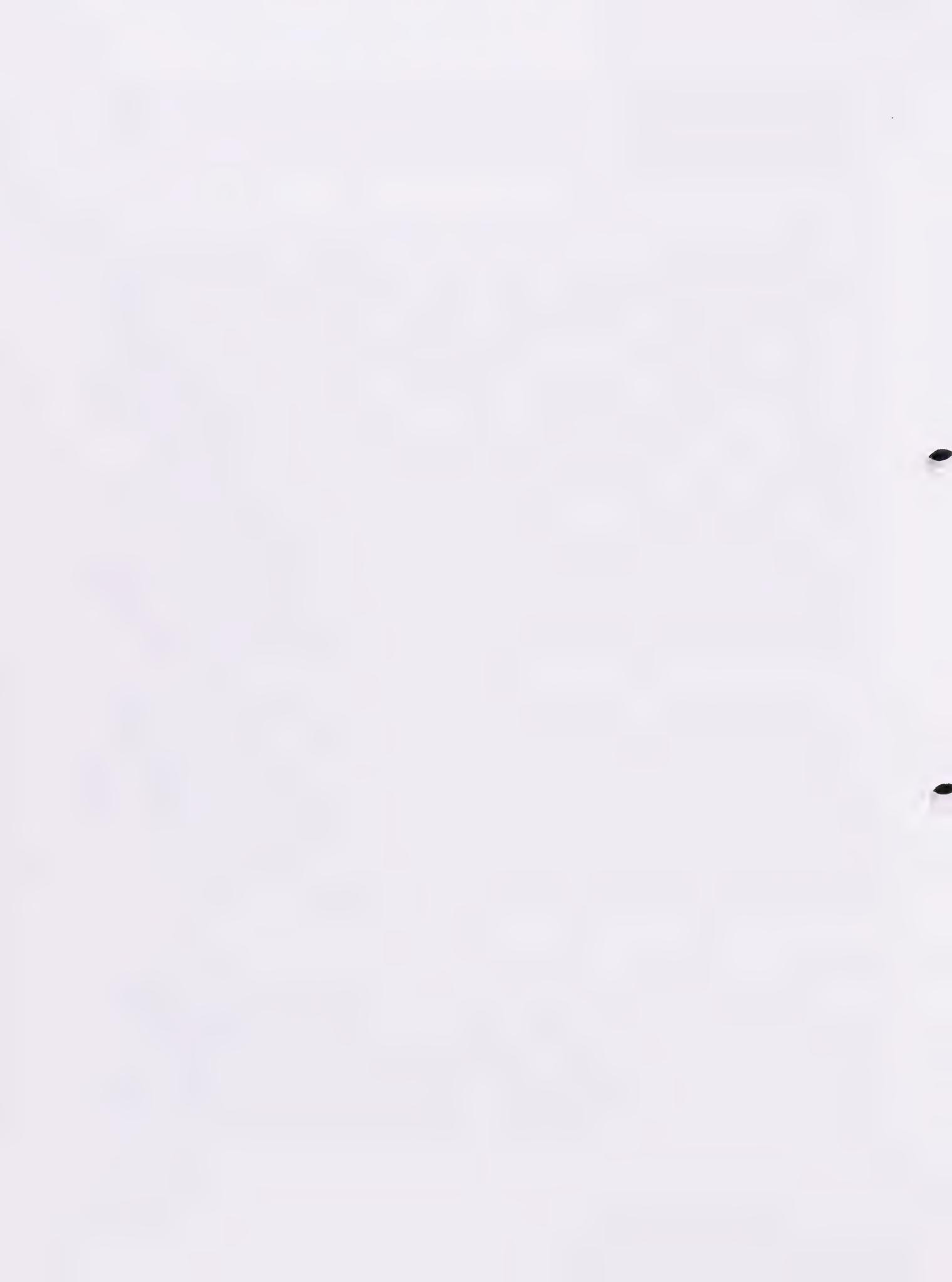
Business

Maxwell Norton, Vice President of the Merced County Chamber of Commerce, stated that the loss of intensive farm land in the San Joaquin Valley has profound negative effects on the local economy, as agriculture is the number one employer in Merced County as well as other counties in the Central Valley. Cities and counties are forced to zone and grow in a manner that produces maximum increase in the local tax base, as State funding mechanisms force local governments to play "zoning for dollars." This makes casualties out of farmland, the environment, and any form of coordinated regional planning. In areas where the number of jobs exceeds the number of housing units, communities should be required to zone for an equivalent number of affordable housing units when they zone for additional jobs. We cannot continue to allow certain communities to enhance their tax bases and force other regions to pay the costs, because this is unfair. It is also evident that we have exceeded the limits of transportation systems and the environment. Mr. Norton recommended that regional problems be addressed with regional solutions, but with a combination of incentives and public financing reforms that will enable county and city governments to make long term commitments to farm land and open space preservation. The Chamber does not support the concept of new superagencies that supersede local control and reduce accountability to the taxpayer.

Linda Falasco, President of Central Valley Rock, Sand & Gravel Association, Inc., emphasized the need to protect sand and gravel resources which are rapidly being depleted. The industry is unique in that sand and gravel sites can produce sequential open space uses like wetlands. At the same time, however, when sites are developed for agriculture, which is also a supposedly valuable resource, sand and gravel resources are lost. The Council should support the Department of Conservation's sand and gravel resources mapping project, require a mineral resources element in general plans, and amend CEQA to declare a significant impact where sand and gravel resources are lost to other forms of development.

Others

Gina Hill, representing the League of Women Voters of Fresno, stated that a growth management plan for California should aim to prevent similar problems from occurring in the less populated portions of the State where the next wave of growth will be centered--the San Joaquin Valley. She presented five general points to the Council: (1) policies and incentives are needed to help county government limit develop outside incorporated cities; (2)

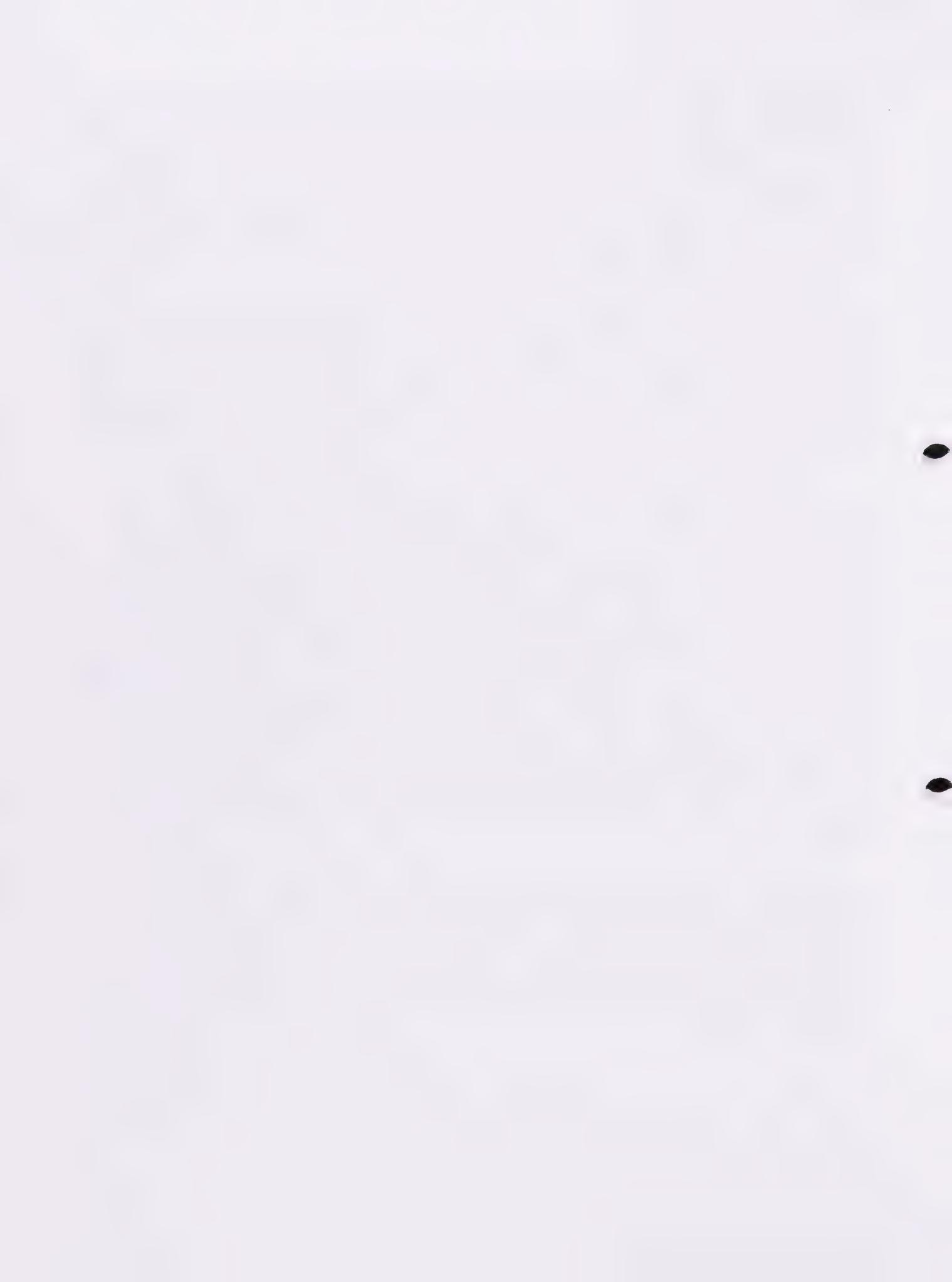


incentives are needed to create permanent open space; (3) policies are needed to encourage retention of prime lands in agriculture; (4) cities need help to improve the climate for inner city revival; and (5) a catalyst is needed to force regional cooperation in planning for the area bordering the San Joaquin River. There should be techniques to preserve agricultural land, including tax relief, tax incentives, and less-than-fee purchases of development interests in farmland. In addition, the State should make a major effort to limit ground water pollution and to clean up the pollution that is threatening major portions of our cities.

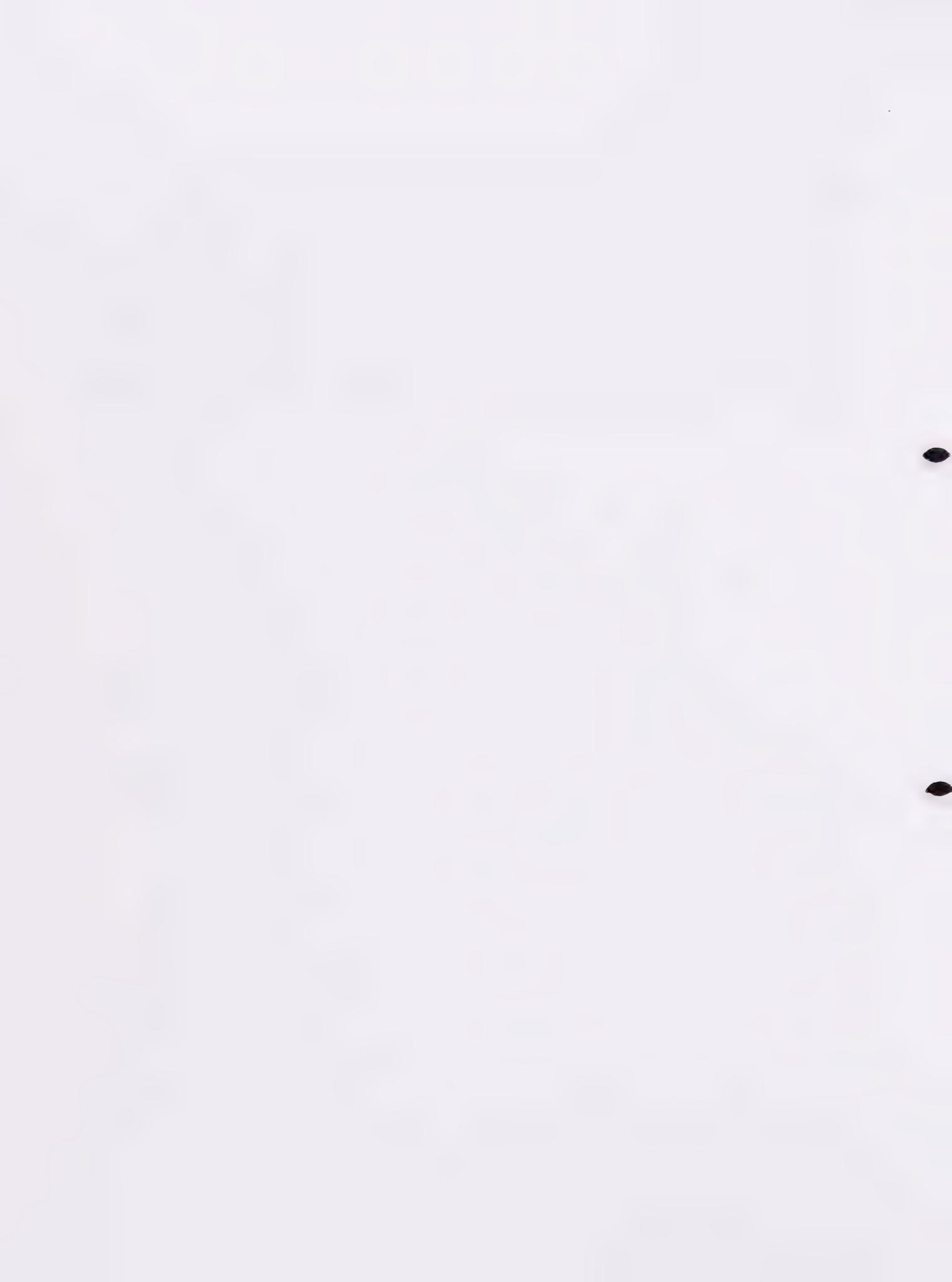
Dr. Patricia Lalim-Falcone, representing the University of California, Fresno Committee, stated that the San Joaquin Valley needs a central coordinating body or a regional authority like those found in Switzerland and Northern Italy. Such an authority would provide structure and unity for air quality control, land use, water management, transportation network, and educational policies. It should be a semi-autonomous government to help provide a free and positive interaction between San Joaquin Valley communities.

Joni Johnson, representing Fresno Neighborhood Alliance, described many problems affecting the future of California. The biggest one is destructive land use patterns which disperse populations to outlying areas beyond existing urban services and cause the deterioration of the environment and inner urban infrastructure. Ms Johnson recommended the following policies be considered: (1) deal with growth on a regional basis with regard to air and water quality, sewer capacity, solid and hazardous waste disposal, and transportation needs including mass transit; (2) protect prime agricultural land, open space, and wetlands including river bottoms; (3) direct all growth to existing cities, emphasizing infill; (4) balance growth within municipalities by requiring the monitoring of sewer, water, traffic and school capacity on a project-by-project basis, shifting growth to other areas when a predetermined capacity is reached within defined growth areas; (5) provide an adequate transportation/circulation system with mass transit as the centerpiece; and (6) require stringent air and water quality, water conservation, and open space standards to ensure future quality of life.

Bud Armstrong, representing the Fire Districts Association of California, described the master mutual aid agreement for fire protection services in effect among the U.S. Forest Service, six Central California counties, and the California Department of Forestry and Fire Protection. Given its characteristics, he recommended that the Council review the concept of mutual aid, and review regulations and standards as they apply to the Sierra foothill areas.



Dr. John Holmes, a physician, stated that the Department of Health Services needs to become more involved in reviewing and approving growth plans. He suggested that the State should encourage the California Medical Association's involvement in regional plan preparation, as well as increase the responsibility of county public health officers for plan review from a public health perspective. State policy should prevent development applicants from "county-hopping" by seeking approval from more than one county, playing them against each other, and settling on the county that offers the best deal. The Air Resources Board (ARB) is actually helping the problem get worse by advising tire burning plant operators. Rather than so advising, the ARB should be determining what kinds of development should be approved in the San Joaquin air basin.



PRESENTATION TO INTERAGENCY COUNCIL ON GROWTH MANAGEMENT BY FRESNO COUNTY BOARD OF SUPERVISORS CHAIRMAN DERAN KOLIGIAN, FRIDAY, JULY 19, 1991, AT THE FRESNO CITY COUNCIL CHAMBERS

INTERAGENCY COUNCIL ON GROWTH MANAGEMENT

MR. CHAIRMAN, AND MEMBERS OF THE INTERAGENCY COUNCIL ON GROWTH MANAGEMENT, I APPRECIATE THE OPPORTUNITY TO PRESENT TESTIMONY TO YOU TODAY. I AM DERAN KOLIGIAN, CHAIRMAN OF THE FRESNO COUNTY BOARD OF SUPERVISORS.

AS A RESULT OF THE RAPID POPULATION GROWTH CALIFORNIA EXPERIENCED DURING THE LAST DECADE AND THE CONTINUING TREND TOWARDS GROWTH, CALIFORNIA HAS EXPERIENCED PRESSURE ON EXISTING TRANSPORTATION, SEWAGE, AND OTHER INFRASTRUCTURE SYSTEMS AND DELIVERY OF SERVICES. THE CENTRAL VALLEY HAS EXPERIENCED A HIGHER RATE OF POPULATION INCREASE THAN THE REST OF THE STATE AND THE TREND IS FORECAST TO CONTINUE.

THESE SAME PRESSURES ARE EXPERIENCED HERE IN THE CENTRAL VALLEY AND FRESNO COUNTY. AS A RESULT OF THIS CRISIS THE GOVERNOR HAS CREATED YOUR COUNCIL TO CONDUCT HEARINGS THROUGHOUT THE STATE AND FORMULATE RECOMMENDATIONS FOR THE APPROPRIATE STATE ROLE IN ADDRESSING GROWTH AND GROWTH MANAGEMENT ISSUES. I AM HERE TODAY TO OFFER OUR VISION OF THE STATE'S ROLE.

THERE ARE FIVE AREAS THAT THE STATE NEEDS TO ADDRESS WITH RESPECT TO GROWTH MANAGEMENT.

1. THERE IS A VIEW THAT SOME FORM OF NEW REGIONAL GOVERNMENT IS NEEDED TO ADDRESS GROWTH AND ENVIRONMENTAL CONCERNs. MEMBERS OF BOARDS OF SUPERVISORS ARE LOCALLY ELECTED BY THE VOTERS WITHIN A COUNTY. WHEN MAKING DECISIONS BOARD MEMBERS TAKE INTO CONSIDERATION IMPLICATIONS FOR THE ENTIRE COUNTY. AND, SINCE COUNTIES ENCOMPASS THE WHOLE AREA OF THE STATE ANY CREATION OF REGIONAL DISTRICTS WOULD ALREADY INCLUDE COUNTY REPRESENTATION.

THEREFORE, THERE IS NO NEED FOR THE STATE TO CREATE AN ADDITIONAL LAYER OF GOVERNMENT. IF THE STATE SHOULD REQUIRE A REGIONAL ENTITY TO DEAL WITH A PARTICULAR PROBLEM, BOARD MEMBERS FROM THE COUNTIES INVOLVED SHOULD BE THE GOVERNING BODY. THEY ARE ELECTED OFFICIALS AND ACCOUNTABLE TO THE VOTERS OF THE REGION.

2. THE STATE SHOULD DEVELOP CONSISTENT POLICIES THAT APPLY STATEWIDE. THE HOUSING ELEMENT REQUIREMENT IS AN EXAMPLE OF THE PROBLEMS THAT ARISE AS A RESULT OF CONFLICTS IN STATE POLICIES. FRESNO COUNTY'S POLICIES ARE TO DIRECT URBAN GROWTH TO THE CITIES (CITY FRINGE POLICIES) IN ORDER TO CONSERVE AGRICULTURAL LAND AND PROMOTE EFFICIENT DELIVERY OF SERVICES.

THE STATE ALSO HAS A POLICY TO CONSERVE AGRICULTURAL LAND. THE STATE'S HOUSING POLICIES CONFLICT WITH THE STATE AGRICULTURAL PRESERVATION POLICIES BY REQUIRING COUNTIES TO PROVIDE HOUSING IN RURAL AREAS. THE STATE'S POLICIES DO NOT HAVE THE FLEXIBILITY TO RECOGNIZE THAT LOCAL AGENCIES SUCH AS FRESNO COUNTY PRESERVE AGRICULTURAL LANDS BY DIRECTING GROWTH TO EXISTING COMMUNITIES.

3. THE STATE SHOULD RESTRUCTURE GOVERNMENT FINANCE SO THAT CITIES AND COUNTIES AREN'T COMPETING WITH EACH OTHER OR REQUIRED TO FISCALIZE LAND USE TO FINANCE PUBLIC SERVICE NEEDS RESULTING FROM GROWTH. LOCAL GOVERNMENTS COMPETE FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENT WHICH GENERATE REVENUE FOR THE LOCAL ENTITIES. THIS WOULD ELIMINATE THE NEED FOR LOCAL GOVERNMENTS TO NEGOTIATE INDIVIDUAL TAX SHARING AGREEMENTS. THIS RESTRUCTURING OF FINANCE, IF IT IS ADEQUATE, AND MADE AVAILABLE TO LOCAL GOVERNMENTS TO MANAGE GROWTH, WOULD BE FAR MORE PRODUCTIVE THAN CREATING ANOTHER ENTITY WHICH WOULD REQUIRE AN ADDITIONAL SHARING OF LIMITED FINANCIAL RESOURCES.

FRESNO COUNTY HAS DIRECTED ITS GROWTH TO EXISTING URBAN CENTERS IN ORDER TO PRESERVE AGRICULTURAL LAND. WHILE THIS IS GOOD LAND USE PLANNING AND HAS PRESERVED THOUSANDS OF ACRES OF AGRICULTURAL LAND IN FRESNO COUNTY, IT HAS HINDERED THE COUNTY'S ABILITY TO PROVIDE THE NEEDED SERVICES TO ITS POPULATION. INSTEAD OF REVENUES BEING GENERATED BY THE COUNTY, THEY HAVE BEEN GENERATED BY THE CITIES, AND REMAIN WITH CITIES.

4. THE STATE SHOULD ELIMINATE EXEMPTIONS FOR SCHOOLS AND STATE FACILITIES. THESE GROWTH INDUCING FACILITIES ARE CURRENTLY EXEMPT FROM THE LOCAL PLANNING PROCESSES AND DEVELOPMENT STANDARDS. FOR EXAMPLE, WHEN NEW SCHOOLS ARE LOCATED IN AN AREA, THERE IS PRESSURE FOR ADDITIONAL DEVELOPMENT TO OCCUR ADJACENT TO THE SCHOOL, OFTEN IN AGRICULTURAL AREAS.

5. AND, ON A FINAL NOTE, WE ARE SOMEWHAT CONCERNED THAT THE COUNCIL'S DIRECTION FROM THE EXECUTIVE ORDER UNDER WHICH YOUR COUNCIL WAS ESTABLISHED, DOES NOT MENTION ONE OF THE STATE'S MOST VALUABLE RESOURCES - AGRICULTURAL LAND. AGRICULTURAL LAND IS A KEY STATE RESOURCE THAT CONTINUES TO DIMINISH YEARLY. NEVERTHELESS, IN 1989, THE STATE OF CALIFORNIA BENEFITTED FROM OVER \$21 BILLION IN AGRICULTURAL PRODUCTION WITH \$2.9 BILLION OF THAT AMOUNT COMING FROM FRESNO COUNTY. WE BELIEVE IT IS ESSENTIAL THAT THE STATE, IN SETTING ITS GROWTH MANAGEMENT OBJECTIVES AND DIRECTION, INCLUDE THE CONTINUED PROTECTION AND PRESERVATION OF AGRICULTURAL LAND.

COUNTIES ARE VIABLE UNITS OF GOVERNMENT AND ANOTHER LAYER OF GOVERNMENT IS NOT NECESSARY. COUNTIES CAN BE EFFECTIVE INSTRUMENTS OF THE STATE FOR DEALING WITH REGIONAL ISSUES BUT MUST BE SUPPORTED BY:

- CONSISTENT AND COORDINATED STATE POLICIES;
- RESTRUCTURED GOVERNMENTAL FINANCE; AND
- AUTHORITY TO EXERCISE APPROPRIATE PLANNING CONTROLS OF ALL GROWTH INDUCING ACTIVITIES.

AGAIN, THANK YOU FOR THE OPPORTUNITY TO SPEAK BEFORE YOU TODAY.
MAR:lat/9740C-7/19/91

COMMENTS TO THE GOVERNOR'S INTERAGENCY COUNCIL
ON GROWTH MANAGEMENT
Friday, July 19, 1991
Fresno, CA

Peter N. Carey, Executive Director, Self-Help Enterprises, Visalia
and Member, Visalia City Council

I am here today not so much in my role as a Councilman for the City of Visalia, but primarily as Executive Director of Self-Help Enterprises, a private, not-for-profit organization, which has worked for 26 years to address the housing and community needs of low income persons throughout the San Joaquin Valley through the self-help construction of single-family housing, the rehabilitation of existing homes, and the development of rental housing for farmworkers. In addition, Self-Help Enterprises works with unincorporated communities to address increasingly complex water and wastewater infrastructure needs. Since 1965, we have assisted over 3,500 low income, primarily farmworker families to construct their own homes, and have assisted many thousands more in the rehabilitation of existing dwellings. As an organization, we are in an excellent position to witness the effect that rapid urbanization has had on the current availability and future potential for decent and safe housing for low and very low income families in the San Joaquin Valley.

My position as a member of the Visalia City Council affords me a dual perspective on many of these issues. I must admit that this dual perspective does not make the search for solutions any easier, as a matter of fact, it complicates it. But this is the nature of the issue. The assurance of an adequate supply of low income housing is not prone to strictly local solutions. While local governments can (and unfortunately often do) negatively affect the supply, they lack the resources and span of control to effectively meet the need.

My goal today is to shed light on the housing needs of a largely forgotten segment of our state population, rural low-income households, and to encourage you to ensure that whatever course is taken in addressing the broad issues of growth management, it is a course which provides for an adequate supply of decent, affordable low-income housing,

distributed on a wide basis.

While the Valley has been viewed by some of our more metropolitan counterparts as a rural backwater--something of an anomaly to the California lifestyle--the Valley has for many decades been the land of opportunity for California's farmworkers and other hardworking low income households. While the dream of homeownership for low income people was surrendered decades ago in many urban environments, homeownership is still a way of life in the Valley.

I should probably clarify who I'm speaking of when I speak of low income families. As defined by the State, families whose incomes are below 80 percent of median are considered low income. In the San Joaquin Valley, that is \$26,700 for a family of four. Very low income is defined as having an annual income of less than \$16,700 for a family of four. Many, many working families fall into these categories.

The challenge of producing housing accessible to low and very low income families has never been easy. Over 26 years Self-Help Enterprises has faced an incredible array of challenges from financing to community resistance, but I can show you 3,600 families who, while continuing their jobs as farmworkers, truck drivers, clerks, and factory workers, have committed themselves to the dream of homeownership and invested from 1,300 to 1,500 hours in the construction of that home. These are 3,600 families who are now proud homeowners, who have a sense of their destiny, and who are active participants and taxpayers in their communities. Those 3,600 families represent over 10,000 children who have had the opportunity to grow up in decent housing with the knowledge that their efforts can make a difference. But the challenges of the past decades pale in comparison to the current challenges.

Today there are two Valleys. There is still the Valley of small towns, agriculture-based economies, low housing cost, and a housing supply which is largely single-family.

But now, there is a second Valley, and its signature is the rapid urbanization caused

by migration from the urban centers. First there is the migration of commuters over the hills from the Bay and Los Angeles areas, which has driven up the value of land and housing in the areas which are considered by some to be within commute distance. The second migration is more permanent in nature and results from the de-urbanization of industry and the drive for lower costs and higher quality of living for the work force. This is driving growth beyond the commuting limits and fueling rapid growth in communities such as Visalia, Bakersfield, Merced and the Fresno-Clovis area. The result is dramatically escalating land costs and increasing local government problems as small communities wrestle with the infrastructure and social problems which often accompany even sought after growth. These pressures combine to drive up the costs, and an increasing number of Valley residents see the end of their dream of decent housing.

If escalating land costs, development fees, no-growth pressures, land use regulation, and NIMBY attitudes are an impediment to housing in general, they are in the aggregate the kiss of death to ownership and rental housing for our low income households. Now our recognition of the importance of housing is not new, nor is our stated commitment to decent housing. The Federal Government in the 1947 Housing Act established a national goal of a decent home for every family, and the State of California has similarly recognized of the importance of decent housing for all of its citizens. But the challenge is of greater magnitude today. The increasing complexity of the housing environment is not the signal for the State to back away from its traditional involvement, but rather for a strengthening of the State role for ensuring that its citizens, its children, its seniors, and its working people have decent housing. For if we do not maintain decent, affordable housing as a State priority, I fear the economic and social fallout that will be our burden in decades to come.

I would like to make the following specific points relative to the issue before you today.

It is important for the fair share allocation process to continue, with increased

emphasis on performance. There should be increased sanctions for communities which fail to accomplish their goals for the production of low-income housing, as well as incentives for those which succeed.

Similarly, the Housing Element process begun over a decade ago is an important part of each community's responsibility to plan for and accomplish the generally shared goal of decent, affordable housing. But a report by the California Coalition for Rural Housing, which indicates that on a statewide average communities have met barely 16 percent of their stated goals, is a clear indication that increased emphasis is needed. In the past year we've seen renewed interest from communities in the Valley seeking more realistic and concrete strategies for their Housing Elements, and we feel that this trend must be encouraged, through more realistic sanctions for failure to realistically implement the Element.

It is our direct experience that a significant impediment to timely and efficient development of housing is the uncertainty of local planning processes. Communities must make greater efforts to establish a supply of available and affordable land for housing for all segments of the population; this will decrease some of the risks in the development process. It also lessens the opportunity for NIMBYism to creep into the review of specific projects and enables local officials to maintain a firm resolve in their commitment to meet Housing Element goals. State law now limits the ability of local governments to reject proposed low income housing developments; however, there is a need for an external appeals process which would serve as a fair and impartial recourse for denied low income projects.

We support efforts by all parties involved to find a constructive means to the provision of mixed housing opportunities, which will enable us to live in balanced, healthy communities.

We support efforts to mitigate the strangling effect of Article 34. If decent affordable

housing opportunities for all is, in fact, a State priority, the existence of Article 34 of the State Constitution is contradictory and counterproductive to that stated public purpose.

While these regulatory improvements will help, there is no amount of regulatory adjustment which will in and of itself lead to the production of the needed amounts of low and very low income housing. The potential for unsubsidized development of low income housing is about zero, and for very low income, somewhat less. There must be subsidies available for the provision of decent low income housing. There must be renewable annual resources available, such as a fully funded Housing Trust Fund, so that we can confidently plan projects and avoid the annual appropriations struggle. And there must be ongoing support for not-for-profit housing developers who have committed their resources and energies to meeting our housing needs, and who have demonstrated the capacity to do so.

Efforts must continue to ensure that Redevelopment Agencies better focus their resources to the provision of affordable housing. All too often, Agencies are geared strictly toward economic development and infrastructure. It is incumbent upon the State of California, which has created the opportunity of tax-increment financing, to ensure that redevelopment is used to accomplish effectively the dual goals of economic development and affordable housing which we are increasingly aware are symbiotic in nature, and not to be looked at separately.

We must find ways to exempt low income housing development from the burden of impact fees, while replacing those lost fees to local government. Housing development faces ever escalating fees for funding infrastructure for our communities. As a local public official, I can tell you quickly that the resources and the opportunities for proper, traditional funding of infrastructure have disappeared, and our communities, our counties and our State are headed for an infrastructure crisis. But levying of "last person" fees on new development is unfair and is hurting the housing market in general with a very dramatic impact at the bottom end of the housing market. Fees of even \$10,000 narrow the choice

of housing available to a moderate income household. However, at the bottom end, the impact is not in the size or value of the house which is affordable, but rather in the absolute affordability. Every \$1,000 in fees eliminates California families from homeownership, and even from the availability of decent rental housing. Recent developments which appear to have removed the cap on school fees are a cause of great concern. In two small Valley communities, we are now facing the prospect of \$6000-\$8,000 school impact fees. It is ironic that these fees will be levied against \$50,000 single-family homes, being built by families who currently live in those communities and whose children already attend local schools. The State has had a traditional role in financing infrastructure, from water and sewer systems to roads and schools. We must return to some more equitable basis for maintaining and expanding the infrastructure which will be needed in the next century.

In sum, I believe it is critical for both the economic and social health of this State that any growth management strategy recognize, and address, the need for low-income housing must be recognized, and must be addressed. We must strengthen our role in assuring that we remain a state that places an emphasis upon decent shelter for its citizens; that we remain a state that provides opportunity--not just for the wealthy, but for those who work in our fields and factories. The State must clearly chart the course and establish the framework for statewide and local goals. The State must be the vehicle for monitoring the accomplishment of those goals, and must be a key participant in the development of the resources necessary to attain those goals. We're no longer talking about local problems, we're no longer talking about regional problems. Much of what we see in the San Joaquin Valley is a result of inter-regional migration and it is larger than any local solution. I support your work in seeking a statewide consensus on the complex issue of growth management.

City of



Development Department

Alvin P. Solis, AICP
Director

City Hall • 209-498-1591 • FAX 498-4385
2326 Fresno Street, Room 103
Fresno, California 93721-1899

July 18, 1991

Mr. Richard Sybert
Director of Governor Wilson's
Office of Planning and Research
1400 Tenth Street
Sacramento, California 95814

Dear Mr. Sybert:

SUBJECT: TESTIMONY TO BE PROVIDED AT THE JULY 19, 1991,
HEARING BEFORE GOVERNOR WILSON'S INTER-AGENCY
COUNCIL ON GROWTH MANAGEMENT

Please accept the following written statement from the City of Fresno Development Department, which will be read into the record at the subject hearing.

Like many cities and other local jurisdictions in California, the City of Fresno is very much interested in the issue of growth management. We are thankful for the opportunity to advise the Inter-Agency Council on Growth Management on this important matter and look forward to working with you to meet Governor Wilson's goal of formulating growth management recommendations by the end of this year.

Before directly commenting on the issue of growth management, it is important to emphasize the following facts and trends. These points help facilitate a better understanding of the need for improved growth management at both the regional and state levels.

- Over the past 20 years, both the City and County of Fresno have witnessed significant growth. Neighboring counties are now receiving pressure for significant new development.
- Today, the City of Fresno and its environs constitute one of the fastest growing metropolitan areas in the United States.
- Fresno County is currently ranked as the number one farm income producing county in the United States. Farm income is being impacted by new growth, particularly because of increased air pollution, urban/agricultural interface problems, and more direct competition for limited water resources.

Mr. Richard Sybert
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- Fresno has assumed the responsibility of being the regional transportation hub for the San Joaquin Valley. Along with this responsibility has come an ever increasing need to work more directly with neighboring local and regional jurisdictions to monitor growth and adequately address circulation and air quality needs.
- The Federal Environmental Protection Agency has stated that the San Joaquin Valley (centered by the City of Fresno) has the potential for the worst air quality in the United States. If growth is not adequately planned, we could have the worst air pollution in the United States by the end of the century.
- During the past 10 years, multiple family residential family sizes in Fresno have increased almost 25 percent and the number of overcrowded housing units has doubled. This is indicative of substantial increases in in-migration. The City has had very limited or no ability to regulate this in-migration.
- The capacity of our public service delivery system to serve new growth is becoming more and more impacted. State and federal funding for public service enhancements continues to be reduced.
- Resources that are shared by local jurisdictions or that do not respect separate jurisdictional boundaries, such as water, are becoming more limited.
- Planning and growth decisions made independently by individual local jurisdictions are increasingly affecting the planning programs, economies, and service delivery system capabilities of neighboring jurisdictions. For example, policy decisions and programs by one local jurisdiction to reduce air pollution and energy use can be negated on a long-term basis by the relocation of a major employer to a neighboring jurisdiction.
- Tax revenue enhancements are becoming a more recognizable and determining factor in deciding land use and public planning policies.

These facts and trends tell us that the way growth is managed by local jurisdictions has to be restructured. Because many of these facts and trends apply statewide, and because local jurisdictions are directly affected by planning, financial, and resource allocation actions taken at the state level, it is obvious that the way the State manages growth also has to be restructured. Competition for land, tax revenues, service delivery system improvements, and resources is continuing at an ever increasing

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rate. The restructuring of the way growth is managed regionally and at the state level is, therefore, something that must be given the highest priority.

Our conclusion that the existing approach to growth management needs restructuring leads to the following two specific questions:

1. Do we need more and improved regional planning?
2. Does the State need to take a more active role in planning and growth management?

We believe that the answer to both these questions is yes.

Although some increased regional planning has occurred, such as air quality planning through basin wide agencies, more and better coordinated regional planning is needed. Regional planning must be expanded to cover areas such as land use, revenue generation and revenue sharing, public service delivery system allocations and consolidation, and the provision, placement, financing, and management of aesthetic and open space amenities. At this point, we are not prepared to advise the State on a specific proposal for setting up regional planning agencies. That is something that will take more time and a great deal of discussions between affected local agencies. However, we are convinced that the facts and trends all point to the need for more and better regional planning within California.

Concerning the State's involvement in planning and growth management, again we have concluded that the State's role has to be elevated. Compared to regional planning, the State's role in growth management should apply to those areas which have more state-wide significance, including becoming more involved in monitoring and participating in regional decisions which affect air quality, population growth, transportation, and allocation of water resources. Again we are not proposing at this time, any specific program or agency structure to increase the State's involvement in planning and growth management. What we are saying is that in conjunction with an improved and better coordinated regional planning structure, the State also needs to take an elevated role in assuring that regional planning is applied on a consistent state-wide basis and that issues of state-wide importance are equitably addressed by separate local jurisdictions.

It is understood that there will be arguments presented against increased regional and state planning related to growth management. Some of these arguments will be founded on a concern over increased bureaucracy and government layers which impact decision-making abilities of local jurisdictions. There will also be concern about adverse impacts on private market forces and economics. It should be recognized, though, that there is a real problem today with the coordination and effectiveness of

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single-focus agencies operating at differing levels of government. If structured properly, improved regional planning and an increased State role in managing growth can significantly improve the coordination, cooperation, and cumulative effectiveness of these separate agencies. This can be done by allowing common goals to be better defined and achieved, by better managing and equitably allocating limited resources, and by allowing growth to occur in a more balanced and consistent manner.

Again, thank you for the opportunity to advise the Governor's Council on Growth Management. We hope our testimony will be of assistance to you and respectfully request that we be provided the findings and conclusions resulting from this forum.

Sincerely,

DEVELOPMENT DEPARTMENT

Solis
Alvin P. Solis
Director

NY:vs
741/ENV



Public Works & Development Services Department

Richard D. Welton
Director

September 20, 1991

RECEIVED

Mr. Robert W. Cervantes, Chief
Planning Unit
State of California
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

SEP 27 1991

Governor's Office of Planning
and Research

Dear Mr. Cervantes:

SUBJECT: INTERAGENCY COUNCIL ON GROWTH MANAGEMENT HEARING AND STATE PLAN
POLICY CONSISTENCY; YOUR LETTER DATED AUGUST 9, 1991

Thank you for the opportunity to add to my comments and those of Supervisor Koligian given at the July 19, 1991 hearing. The following are examples of the problems I described at the hearing.

1. Fresno County operates landfills and other solid waste disposal facilities in the County. Upon closure of such facilities we are required to file Closure/Post-Closure plans with the State Regional Water Quality Control Board and the State Integrated Waste Management Board. These agencies have different requirements; the Regional Water Quality Control Board has approved our Plan, but the Integrated Waste Management Board has not. This places us in a position of having to reconcile the needs of the two agencies.

In addition, reviewers within the same agency are not consistent and verbal commitments (over the telephone, or in meetings) are sometimes different than the written responses. For example, we were required to make a series of modifications to the Plan by the California Integrated Waste Management Board before their office would begin the "detailed review". However, upon submittal of the revised document, another reviewer required an additional list of changes before they would accept it for review. Also, previous verbal indications of acceptable submittal items were not honored.

2. The County is required to adopt and maintain a general plan. Land use and zoning must be consistent with the Plan, as well as all major capital facilities constructed by the County. However, State facilities and School districts, which receive funding from the State, are exempt from such restrictions. Frequently major school or other facilities are constructed in areas planned by the County for open space or agricultural uses, because the land is cheaper.

This works to the short-term benefit of the State or the school district, but to the long-term disadvantage of the County, other agencies, and property owners that rely on the County's plan. Huge investments in infrastructure are often invalidated or compromised by the growth pressures resulting from such facilities located in areas not planned for urban development. This one-time site cost windfall to the State is paid for many times over by the other users of the system. Those who rely on the County's Plans make decisions which are invalidated by unilateral State actions.

3. Caltrans has the responsibility to plan for the State highway system, which has a great impact on local jurisdictions' land use and transportation planning. The State's process for selecting and designing road projects adequately involves the local agencies, but once the design is completed there is no mechanism short of purchase to protect the route. What is needed is a Plan Line procedure, whereby the routes are shown on maps kept on file with the local jurisdiction, to ensure that new improvements are not sited within the planned right of way, thus protecting the future right of way without the need for outright purchase.
4. The County is required to adopt and maintain a Housing Element as part of its General Plan. The Housing Element must meet specific requirements to provide for needed housing within the County, and must be approved by the State Department of Housing and Community Development (HCD). Fresno County's draft 1991 update of the Housing Element was criticized by HCD staff because, in their opinion, it did not provide for sufficient multiple-family (apartment) zoning for rental housing units in areas planned by the County for agriculture.

Although HCD has not completed its final review of the adopted Housing Element (the review period expires January 2, 1992), HCD staff has indicated that they are doubtful the provisions will be deemed adequate, even after it was explained that the General Plan requires urban development to be located within cities or existing unincorporated communities as a means of conserving valuable agricultural land and efficient provision of urban services. Cities benefit from the policy by the reduction in competition from the County for urban development projects, and the certainty of new development location and character. The importance of this is demonstrated by the fact that--at the insistence of the cities--recently adopted tax sharing agreements with several Fresno County cities include requirements that these policies remain in effect. If we are forced to adopt urban-density zoning outside of cities in order to satisfy HCD we will be in violation of these tax-sharing agreements, as well as our planning philosophy intended to conserve agricultural land. Such development would ultimately be more costly to serve, and destructive to the environment.

5. The fiscalization of land use policies throughout the State is due in large part to the State's failure to provide adequate funding for mandated programs. Local agencies are forced to look to the fiscal

Ltr. Robert W. Cervantes
September 20, 1991
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impacts of development before considering such fundamental issues as serviceability, efficiency, and consistency with long range goals and objectives. The State should meet its obligations to provide the wherewithal to administer State-mandated programs, and leave local decision-making in the hands of the duly elected local officials.

The attached documents illustrate the above points, although incompletely, since information provided over the phone or in person is often different than appears on follow-up letters, but nonetheless, is relied upon by our staff in responding to State agencies. A case in point is that the State Department of Housing and Community Development letter only mentions the need for additional housing units in rural areas for farmworkers, but in phone conversations they made a strong point of the necessity of apartment zoning.

We would be pleased to meet with you to further discuss these matters if you would like more clarification.

Very truly yours,

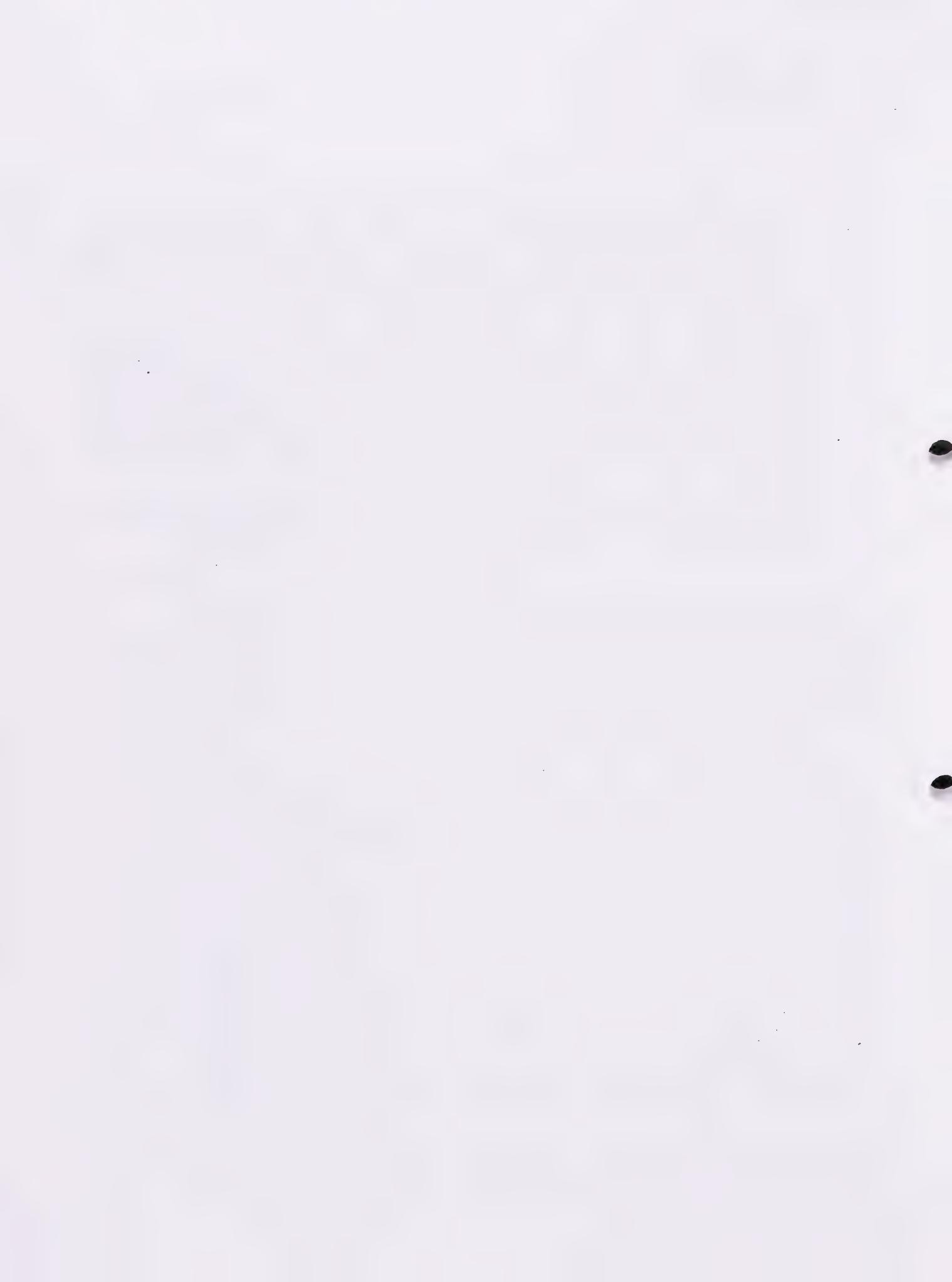


Richard D. Welton, Director
Public Works & Development Services Department

RDW:JT:sm
9957C
9/20/91

Attachments

c: Richard Sybert, Planning Division Director, OPR
Deran Koligian, Fresno County Board of Supervisor, District 1



PRESENTATION TO
GOVERNOR'S INTERAGENCY COUNCIL ON GROWTH MANAGEMENT

By: George E. Finney
Tulare County Planning and Development Director
July 19, 1991

In the way of introduction, I would first like to give you some background on Tulare County. Tulare County lies in the southern half and on the east side of the San Joaquin Valley, the Great Central Valley of California. It is situated between the crest of the Sierra Nevadas on the east and Tulare Lake on the west. The western one-third of the County is comprised of the San Joaquin Valley which is nearly level with very gentle to rolling slopes along the eastern margins. For the most part, Tulare County is located within a closed drainage basin since most of the rivers and streams have their ultimate destination at Tulare Lake. Elevations range from approximately 200 feet above sea level to over 14,000 feet along the crest of the Sierra Divide.

There are eight incorporated cities and about 50 small rural service centers scattered throughout the Valley portion of the County which are generally located at 5-10 mile intervals along the major road system. The January 1, 1991, population estimate for the County was 319,600. Of this total, 58% are located within the eight incorporated cities of which the City of Visalia contain the most population at 78,800. The growth rate of the unincorporated area for 1990 was estimated at 2.1% while the growth rates of the eight cities averaged 4.3% with the highest being the City of Visalia at 6.2%. Therefore, like the rest of California the existing urban areas of the County are experiencing relatively rapid growth and development while the rural farm population is declining in proportion to the Countywide total.

This growth seems to have occurred despite the County's location between the two urban centers of the south-central Valley, Bakersfield and Fresno. Further, the County is too remote to be greatly affected by the overflow of population growth originating from the Bay Area or the Southern California Metropolitan Areas. Thus, while our growth impacts may seem modest as compared to other areas of the State, it seems that industrial diversification efforts have been successful in promoting urban growth within the area.

Irrespective of the growth of the County's communities, agriculture remains the number one industry in the County. Even with the effects of the drought, the 1990 crop report for the County shows a total valuation of agricultural commodities produced in Tulare County at nearly 2.17 billion dollars. However, nature has played a cruel trick on us -- nearly every one of our Valley communities is located on prime agricultural land. Thus, it is not surprising that the County's Land Use Planning Program is heavily weighted toward protection and enhancement of the agricultural economic base as a principle focus.

At this time, let me tell you how Tulare County has approached the conflicts of growth and conversion of agriculture lands within the context of its plans and policies, and how we have worked cooperatively with the eight cities of the County to see that these goals and objectives are achieved.

In 1974, Tulare County adopted an Urban Boundaries Element to its General Plan. This element establishes urban limit lines, called Urban Area Boundaries and Urban Development Areas around all of the incorporated cities in the County. The smaller of the two areas, the Urban Development Boundaries, define 20 year planning areas around incorporated cities in which the County and cities will coordinate plans, policies and standards relating to building construction, subdivision development, land use and zoning regulation, street and highway construction, public utility systems, environmental studies, and other closely related matters affecting the orderly development of urban fringe areas. Within these boundaries, the cities and the County may also establish planning areas representative of shorter time periods in order to assist in more precise implementation of community plans and policies. It is recognized that these boundaries provide an official definition of the interface between future urban and agricultural land uses.

The larger area, or the Urban Area Boundary, defines the area where the land use is presumed to have an impact upon the adjacent incorporated city, and within which the city's concerns are to be given serious consideration as a part of the land use review process. The area between the Urban Area Boundary and the Urban Development Boundary is considered to be the next logical area in which urban development may occur and the area within which Urban Development Boundaries may ultimately be expanded. Modification of Urban Development Boundaries are considered at such time as the land use plan for the community is revised or updated to reflect changing needs and circumstances, or an extended time frame. Preservation of agricultural lands is of the highest priority when considering such modifications and expansions of Urban Development Boundaries to include additional agricultural land may only occur as a last resort.

Of particular interest to the Interagency Council would be the plan's requirement that urban development may only take place within certain areas of the County:

- (1) within incorporated cities;
- (2) within the Urban Development Boundaries of unincorporated communities;
- (3) within Foothill Development Corridors; and
- (4) within other areas suited for nonagricultural development as determined by the County's Rural Valley Lands Plan.

Also of interest is the policy that limits County consideration of urban development proposals within Urban Development Boundaries adjacent to cities. Here in the County has declared that it will not entertain such development proposals unless three tests can be met -- the city does not consent to annex or annexation is not possible under the Cortese-Knox Act; public service impacts of the development are within the service capabilities of the County and special districts; and the use and density proposed are consistent with the County General Plan and compatible with the adopted General Plan of the affected city.

Thus, it can be seen that in Tulare County there exist at the present time a close working relationship between the County and the cities with regard to conversion of agricultural land for urban development. The close coordination

is further evidenced by the fact that funding for adoption and maintenance of the Urban Boundaries originates from the Tulare County Association of Governments (TCAG), and not from the County.

Outside of the established urban limits and within the Valley portion of the County, a plan designed to protect and maintain the agricultural viability of rural valley lands has been enacted. The plan declares that it is the policy of the County of Tulare to implement a range of exclusive agricultural zones, each containing a different minimum parcel size. It further declares the County's policy to apply such zones to all lands located outside of Urban Development Boundaries below the eastern edge of the Sierra Nevada foothills except where otherwise designated by the Land Use Element. Most of this area (approximately 800,000 acres) is currently zoned for 20 and 40 acre minimum parcel sizes within exclusive agricultural zoning classifications. The zoning has been in effect since 1977.

In addition to exclusive agricultural zoning and urban limit lines, the County's Growth Management policy relies on two additional tools to discourage the premature and unnecessary conversion of agricultural lands. The first is the Williamson Act which the County has implemented since 1967. At the present time, in excess of 1.1 million acres of agricultural land in the County is under contract. Secondly, the County has enacted a Foothill Growth Management Plan which designates growth corridors within the foothill region of the County. One of the objectives of this plan is to accommodate development within the foothill areas while at the same time relieving some of the growth pressures that exist on prime agricultural lands in the Valley.

Thus far, I have given you a brief synopsis of Tulare County's approach to growth management planning within our area of California. Consequently, given the efforts we have made in this regard, it should come as no surprise that many local planners are suspicious and distrustful of State initiatives and mandates in the area of land use planning and growth management. This has been particularly true in the area of agricultural lands preservation planning and a number of efforts at the State level to impose State administrated programs in the past have met with stiff resistance. The nature of California's political environment has resulted in the promulgation of State mandates only to the extent that local governments are required to plan and to take steps to safeguard the environment. Traditionally, the specific form that particular plans take and the nature of environmental protection measures is left to the discretion of local decision-makers.

With this in mind, let me give you some suggestions as to what should be included in any State growth management strategy:

- What is needed first, before any decisions are made about establishing regional units of government, is that the role of the State must be clearly defined. I see this step as preliminary to anything that follows. I would suggest the State's role be directed toward development of internally consistent goals and objectives on key Statewide issues such as affordable housing, air quality, energy conservation, conservation of key resources (prime agricultural land, wildlife habitats, wetlands, etc.), economic development, transportation and major public facilities and infrastructure.
- Also of importance is the need to clearly define and differentiate the local governmental role in growth management/planning. After

Statewide goals and objectives are defined, local units of government should be allowed to continue their present role in day-to-day implementation of plans and policies. While regional oversight and coordination may be appropriate in metropolitan and urbanizing areas of the State, the need for such an additional layer of government in rural areas remains to be demonstrated. In any case, units of government already exist, in particular TCAG, which can perform the role of a regional growth management agency should that become a requirement. Thus, I would suggest that any State growth management program first look to utilizing the existing units rather than creating another layer of government.

- The complexity of California, both culturally and geographically, requires approaches to the growth management issue which are both flexible and responsive to citizen interests and local concerns. As a result, I would recommend that the Interagency Council avoid a structure that is too top heavy and look for approaches that have the flexibility to adjust to the diversity of California. This means we should avoid a mandatory regional governmental structure in areas of the State where that structure is not needed. Rather, we should first go about the task of evaluating whether existing units of government (cities, counties, special districts and COG's) in the rural areas of the State have the capability of carrying out the job. One possibility for the rural areas of the State would be to establish certain objective criteria which, when met, would trigger a regional approach to problem solving and growth management.
- Finally, any State growth management program should also have the flexibility to allow locally inspired programs to qualify under the State umbrella. In that way, the proven plans and programs already developed in Tulare County -- the Urban Boundaries Plan and our agricultural plans and policies -- won't have to be reinvented from scratch.

URBAN BOUNDARIES ELEMENT

POLICIES

I. Urban Development Policies

1. This plan element establishes Urban Development Boundaries which define twenty-year planning areas around incorporated cities in which the County and cities will coordinate plans, policies and standards relating to building construction, subdivision development, land use and zoning regulations, street and highway construction, public utility systems, environmental studies, and other closely related matters affecting the orderly development of urban fringe areas. Within these boundaries, the cities and the County may also establish planning areas representative of shorter time periods in order to assist in more precise implementation of community plans and policies. It is recognized that these boundaries provide an official definition of the interface between future urban and agricultural land uses.
2. This plan element establishes Urban Area Boundaries, which define the area where land uses are presumed to have an impact upon the adjacent incorporated city, and within which the cities' concerns are to be given serious consideration as part of the land use review process. The Urban Area is considered to be the next logical area in which urban development may occur and the area within which Urban Development Boundaries may ultimately be expanded. Modification of Urban Development Boundaries will be considered at such time as the land use plan for a community is revised to reflect changing needs and circumstances or an extended time frame. Preservation of productive agricultural lands shall be of the highest priority when considering such modifications and expansion of Urban Development Boundaries to include additional agricultural land shall only occur as a last resort.
3. The cities shall examine existing Urban Area Boundary and Urban Development Boundary lines and recommend changes to the Board of Supervisors as appropriate in light of amendments to the goals and policies contained in the Urban Boundaries Element. Emphasis shall be placed upon reasonable expectations for the provision of urban services within the next twenty years when determining the location of Urban Development Boundaries.
4. This plan element establishes the policy that Urban Development shall only take place in the following areas:
 - (1) within incorporated cities. As an exception to this policy, the County may consider proposals for urban development within Urban Development Areas adjacent to cities if all of the following criteria are met:

URBAN BOUNDARIES ELEMENT
GOALS AND POLICIES

Adopted by Planning Commission
June 8, 1983

Adopted by Board of Supervisors
July 5, 1983

GOALS

- (1) The retention of community identity and enhancement of efficiencies in the provision of essential services by means of a framework or urban-related programs and policies designed to serve specific urban planning areas.
- (2) The preservation of the agricultural economic base and open space resources of the County through the implementation of resource management programs within authentic agricultural areas and the identification of maximum growth parameters for all urban settlements located within the County.
- (3) The designation of realistic planning areas around cities and unincorporated communities which could be used to help determine boundaries for community service districts and County service areas, in areas where differing levels of service are required, and within which corporate annexations may take place.
- (4) The provision of an orderly framework within which communication may take place between the County and the cities regarding projects of mutual concern.
- (5) The provision of a mechanism for developing appropriate matching physical systems, such as streets, sidewalks, sewer, water, gas, electric, circulation, and appearance factors within urbanizing areas.
- (6) The maintenance of consistency among the goals and policies of the Urban Boundaries Element and those contained in other general plan elements adopted by the County and the cities.

a. One of the following has occurred:

- (1) The adjacent city does not consent to annex the property for development purposes (as evidenced through rezoning, development agreements, etc.); or
- (2) Annexation is not possible under the provisions of State law, but it is determined by the County that development of the site does not constitute leapfrog or noncontiguous development; and

b. The County finds that the public service impacts of the development are within the service capabilities of the County and affected special districts; and

c. The use and density proposed are determined to be consistent with the adopted general plan of the County and compatible with the adopted general plan of the affected city;

(2) within the urban development boundaries of unincorporated communities;

(3) within Foothill Development Corridors; and

(4) within other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan.

This policy shall become effective for each city at such time as the city and County have reviewed that city's Urban Development Boundary and Urban Area Boundary and reached agreement pursuant to policy VIII-2.

5. Urban Development Boundaries identify areas which are hereby set aside for those types of urban land uses which benefit from urban services. Conversely, those types of permanent uses which do not benefit from such services should be discouraged within those areas. This is not intended to apply to the cultivation of land or other uses accessory to the cultivation of land, provided that such accessory uses are time-limited through conditional use procedure.
6. To the extent possible, any conversion of agricultural or open land to urban development within Urban Development Boundaries should be as an extension of the existing urbanized area of the community. Urban Development Boundaries shall not be used as justification for leapfrog development.
7. The goals and policies contained in this element shall be referred to the respective city councils for adoption.

II. Policies Regarding Unincorporated Communities

1. Urban Development Boundaries are established around the following unincorporated communities in the County to serve as official urban planning areas for these communities: Cutler-Orosi, Ducor, Earlimart, East Orosi,

Goshen, Ivanhoe, Lemon Cove, London, Pixley, Plainview, Poplar-Cotton Center, Richgrove, Strathmore, Terra Bella, Tipton, Traver, Woodville, Alpaugh and Springville.

2. At some future date, Urban Development Boundaries are to be adopted around the communities of Three Rivers, Sultana and the Allensworth State Historical Park site with the understanding that standards relating to the growth and development of Three Rivers should be related to mountain conditions.
3. A land use plan is to be developed for each community with an Urban Development Boundary, specifying desired densities and land use categories, with particular attention to defining suitable areas for the full range of urban development and rural residential development. Such plans shall include the entire area within the Boundary and shall recognize the short and long term ability of each community to provide necessary urban services within its Urban Development Boundary.

III. Policies Regarding Communication and Project Review

1. Lines of communication are to be maintained so that each city will keep the County informed of changes in municipal plans, policies and land use regulations.
2. A city shall be afforded the right of review and comment whenever the County Planning Commission or Board of Supervisors considers matters affecting the unincorporated areas within each city's Urban Area Boundary. Opinions and recommendations voiced by the city on such referral matters should be given serious consideration in rendering final decisions.

IV. Policies Regarding Boundary Consistency

1. City Urban Area Boundaries and the Spheres of Influence as administered by the Local Agency Formation Commission should be consistent at all times insofar as it is administratively feasible to do so.
2. In areas where special districts provide rural as well as urban services, LAFCO should distinguish between "urban" and "rural" service areas for the purpose of establishing Spheres of Influence for such districts. If an unincorporated community is served by a special district, the Urban Development Boundary should be consistent with the district's "urban" Sphere of Influence.
3. County census boundaries should be as consistent as possible with Urban Development Boundaries.

V. Policies Regarding Agricultural Preserves

1. The County should grant approval of individual applications for agricultural preserves located outside Urban Development Boundaries assuming the area involved is consistent with the intent of the Williamson Act. This policy also carries with it the understanding that applications for preserves within Urban Development Boundaries should not be approved unless it is demonstrated that:

- a. The effective restriction of such land to agricultural use would not detrimentally affect the growth of the community involved for the succeeding 10 years or,
- b. The property in question has special values for open space or recreation or,
- c. The contract is consistent with the publicly desirable future use and control of the land in question.

2. A comprehensive review of contracted agricultural preserves located within Urban Development Boundaries of unincorporated communities shall be conducted at five year intervals. The purpose of the review is to determine whether any unincorporated community in the County is unduly constrained or confined by lands contracted under the Williamson Act. It should be the responsibility of the County to initiate nonrenewal procedure for any contracted preserve which is found to inhibit the growth of a community. The Williamson Act review should be closely coordinated with the review of Urban Boundaries.
3. The Local Agency Formation Commission should continue its present policy that agricultural preserves located outside Urban Area Boundaries shall not be subject to protest by individual cities, and that protests against agricultural preserves within Urban Area Boundaries should be upheld unless it is found that a preserve is consistent with the publicly desirable future use and control of the land in question.

VI. Policies Regarding Application of Zoning

1. The County and each city shall continue to determine appropriate zoning for unincorporated areas within city Urban Area Boundaries. Such a program shall be consistent with County adopted land use plans for each city. To the extent possible, County zoning should be compatible with, and convertible to, municipal zoning.
2. County zoning consistent with adopted land use plans is to be applied to all unincorporated communities with Urban Development Boundaries.
3. Policies (1) and (2) above do not preclude the use of agricultural zoning as a holding zone until demand and changing conditions warrant application of other zoning categories.
4. The Tulare County Zoning Ordinance shall be amended to make the following uses conditional in agricultural zones within Urban Area Boundaries of cities:
 - a. Agricultural service establishments primarily engaged in performing agricultural animal husbandry services or horticultural services to farmers.
 - b. Services to farmers or farm-related activities in planting, harvesting, storage, hauling and equipment repair and maintenance.

- c. The curing, processing, packaging, packing, storage and shipping of agricultural products.
- 5. Urban Area Boundaries and Urban Development Boundaries shall be delineated on the base of the County Zoning Map for reference purposes.

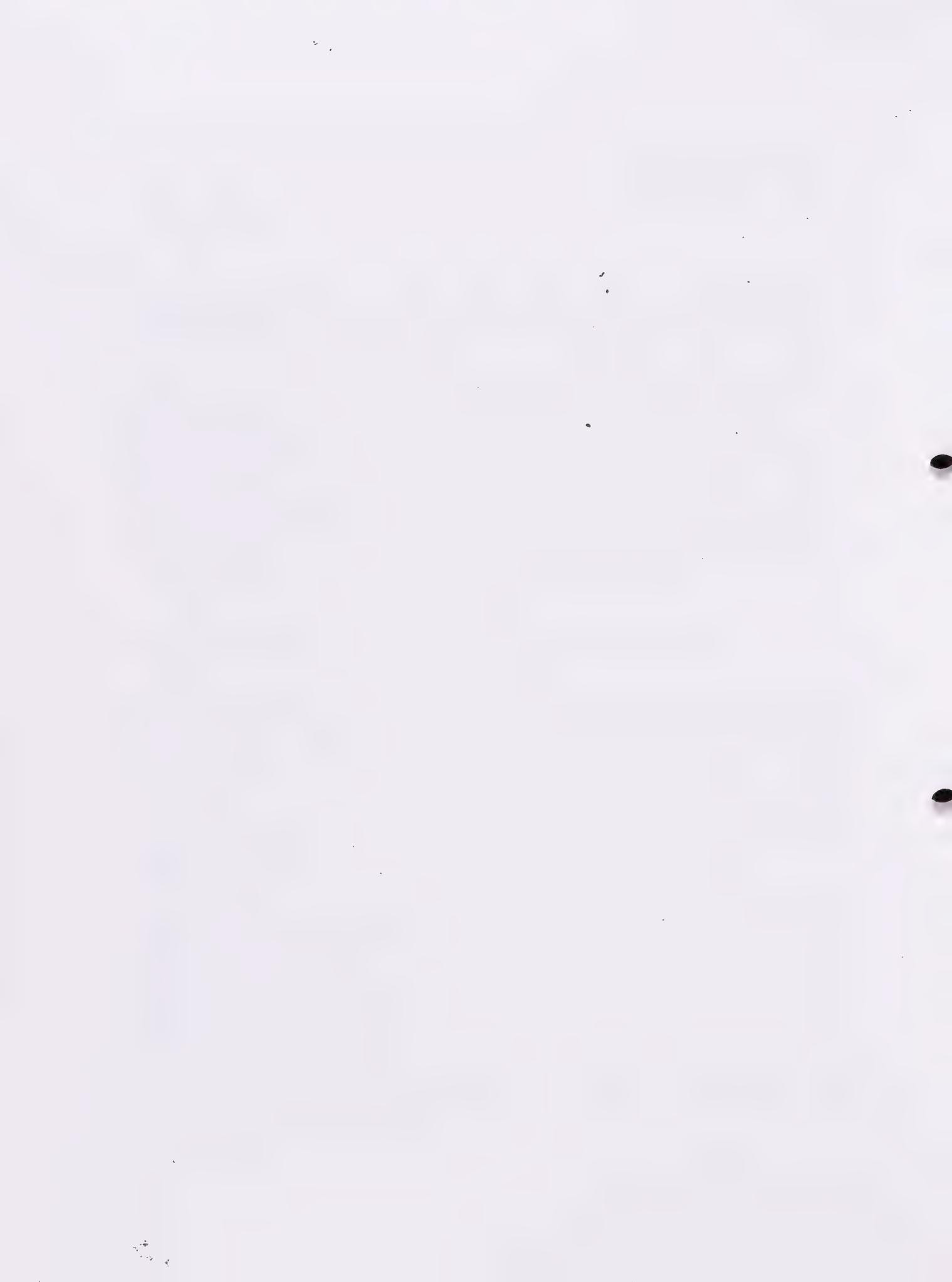
VII. Policies Regarding Subdivision and Development Standards

- 1. A Uniform Improvement Standards Committee, composed of representatives of all cities and the County, shall work to develop mutually agreed upon major development standards to be applied to approved developments within all Urban Development Boundaries.
- 2. Where the Planning Commission and Board of Supervisors find that it is consistent with general plan objectives to approve development within the Urban Development Boundaries of incorporated cities, it shall be the policy of the County to ensure development to full urban standard. The Uniform Improvement Standards Committee shall work to formulate recommendations for:
 - a. development standards for parking, landscaping and sign control for application within city Urban Development Boundaries.
 - b. appropriate standards for mobilehome parks and subdivisions for application within city Urban Development Boundaries.
 - c. appropriate standards for the placement of individual mobilehomes, for application within city Urban Development Boundaries.
- 3. Where the decision-making body of the County approves development within the Urban Development Boundaries of those unincorporated communities with adopted Urban Development Boundaries it shall be the policy of the County to ensure development to full urban standard. Typical improvements may include curbs, gutters, sidewalks, and community sewer and water systems.
- 4. Tulare County Subdivision and parcel map regulations (Sections 7000-7125 of Tulare County Ordinance Code) shall require that all subdivision and parcel maps within Urban Development Areas be developed consistent with urban standards and densities.
- 5. Parcel map requirements shall provide for the full range of improvements as a condition of approval for certain categories of new parcels, as specified by ordinance, located within Urban Development Areas. Typically, the improvements specified should be installed at the time that building permits for development are issued, unless such improvements are deemed necessary for the protection of public health and safety or for the orderly development of the area.
- 6. All new parcels created under parcel map procedure within Urban Development Areas shall meet the same standards of access as required for subdivisions of five or more parcels.

7. In cases where a subdivision, or parcel map or use permit is not involved, the Tulare County Ordinance Code shall require road improvements, including curbs and gutters, to be installed as a condition of the issuance of a building permit for development, including permits for mobilehomes, on any property located within Urban Development Areas.

VIII. Policies Regarding Review and Revision of Boundaries

1. Urban Area Boundaries and Urban Development Boundaries shall be reviewed at least once every 5 years to determine if boundary changes are justified, or if additional boundaries are needed for communities not considered herein. However, a review may be conducted at any time on request of the affected city or agency.
2. In order to officially alter an Urban Development Boundary or Urban Area Boundary, all the agencies which administer policies and programs related to the boundaries shall agree on the change. These agencies include the Tulare County Board of Supervisors, the affected city council, and the Local Agency Formation Commission. In cases where these agencies cannot reach agreement, a committee composed equally of representatives of the affected city and the county shall be formed to make recommendations to resolve the conflict.



PD

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6 Sept. 1991

Mr. Richard Sybert, Director
Growth Management Council
Office of the Governor
Sacramento, CA 95814

Dear Mr. Sybert:

I was grateful (and a bit frustrated) at the opportunity to testify in Fresno on July 19. So much information must be deleted for the sake of brevity, you face a difficult task sorting out background information, and 'common knowledge' as referenced in the testimony. I'm writing to recap my comments of that date as simply as possible, and to add a point or two which time would not then permit.

First, we must emphasize that we face two distinct growth management challenges: long term planning, and problem solving. Effective planning for growth management will require a thorough consolidation of the State's regulatory review process. Individual State Agencies should be required to coordinate in identifying and minimizing mutual impacts, inconsistencies, and shared or overlapping responsibilities. State review should be patterned after successful local streamlining efforts.

Furthermore, the scope of State policy guidelines should be redefined in broad, general terms which gain focus and detail from a strong reliance on local implementation and uniqueness of local factors, such as demography, economy, geography, and the like.

In attempting to solve some of the serious problems which now plague the long term planning process, I truly believe that the establishment of a new regional bureaucracy would be highly counter-productive. Instead, policy for conflict resolution should be task-oriented. While bureaucracy tends to perpetuate itself, drawing its power and revenue from other existing agencies, a task force, made up of affected agencies, tends to perform more economically, maintain its focus, and dissolve once the task is completed.

Local agencies are not likely to initiate serious efforts at effective, long-term growth management as long as they fear legislative intervention, confusion or competition from State agencies, or inadequate funding to follow through. The Legislature should be kept out of the local planning process until and unless all local options have failed. The revenue saved could then be shifted to the local agencies to expedite the process.

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In recent years, I have served as County Supervisor, LAFCO Chairman and Commissioner, member of CSAC's Board of Directors and Regional President, and on numerous task forces and policy committees related to growth. In nearly every case, the competitive relationship between City and County government has emerged as a major factor affecting local governments' serious concerns.

Without fail, friction arises from the mere discussion of the allocation ratios used to distribute tax revenues and budget cuts to Cities and Counties. Formulae and tax sharing agreements vary among entities. Similarly, a vast array of City/County agreements are now in force which govern the development of land in the unincorporated 'fringe' areas surrounding our cities. Variously titled 'urban development areas', 'planning areas', 'areas of interest', 'spheres of influence', etc., these are lands of significant shared interest between City and County.

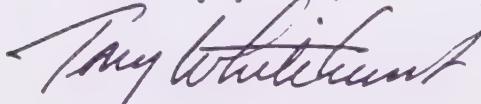
Currently, all of these agreements are negotiable, which leads one to suspect that disputes over 'competitive' behavior are merely symptomatic of a more fundamental problem: the need for clearly vested planning and growth management authority in anticipation of rapid growth.

Understandably, the 'fiscalization' of land use has lead to competitive tension and skepticism toward the negotiating process. As a result, some measurable support has emerged for the concept of a regional governmental body to intervene in such cases. I believe that there are other viable options to attack the problem.

The Legislature should consider the adoption of a standard, state-wide procedure for the implementation of fringe-area development. This should include mandatory interagency/General Plan coordination, and a formula for the distribution of incremental tax revenue from all sources. While such legislation would only address a small part of our overall progress in growth management policy, the elimination of this source of tension would no doubt enhance the Governor's efforts to improve regional cooperation and coordination, while expediting concensus on State Growth Management Policy.

I hope to be of continued service to the Commission and your office. Thanks again for the opportunity to provide some input. . . best of luck sorting it all out.

Sincerely yours,



Anthony Whitehurst

p.s. Pat Dorais has been very helpful at maintaining contact.

Presentation
To

**GOVERNOR'S INTERAGENCY COUNCIL ON GROWTH
MANAGEMENT**

Fresno
July 19, 1991

Submitted by

Michael Paoli and Associates
Environmental, School Facility and City Planners
600 West Shaw Avenue, Suite 240
Fresno, California
(209) 224-4806

INTRODUCTION

We would like to thank the Governor for establishing your Commission and thank you for the opportunity to make this presentation. It is refreshing to have a Governor who understands and supports planning in California and who is willing to tackle the important issue of growth management.

OUR PERSPECTIVE

I am speaking on behalf of myself and staff of six professional planners. We have been providing environmental, school facility and city planning services in the San Joaquin Valley since 1971. We have prepared EIRs for many public and private growth-related projects, helped numerous, smaller valley communities develop and implement general plans, and have prepared school facility master plans and developer fee studies for over forty school districts.

NEED FOR GROWTH MANAGEMENT

Integrated local, regional and state growth management is critically needed in California. California's explosive population growth is overwhelming our natural, human and fiscal resources. These conditions are self-evident to anyone following the debate on the State budget, sending their children to overcrowded, antiquated schools, or having to make reservations months in advance to spend a weekend at a park or other public recreation facility.

It is also clear that planning in California has been largely ineffective in dealing with growth, particularly as it relates to issues of regional and state concern. Local planning, in most instances, has been reactive rather than proactive. In many cases, planning seems to be guided solely by local self-interest, without regard to long-term regional or state-wide impacts of local planning decisions.

Regional planning has been largely conducted by single purpose agencies that do not coordinate well with each other or with local planning agencies.

Moreover, in some cases, the regional agencies seem to have little real authority.

Planning on the state level, for all practical purposes, has been non-existent.

SUGGESTIONS

It is imperative that the State examine and improve growth management in California regardless of probable political controversy or financial constraints. We offer the following suggestions toward this effort:

- Any attempt to address growth management should begin with an evaluation of the effectiveness of planning and growth management at the local level. Determinations should be made on what works and doesn't work with local planning. There should be no sacred cows. General plans, zoning, CEQA and all other planning tools should be subject to rigorous evaluation and, if necessary, changed, before major new planning regulations are adopted or new growth management planning agencies are created.

For example, the effectiveness, or ineffectiveness, of general plans in dealing with growth management should be evaluated before regional or state growth management strategies are established. It is futile to dictate that general plans must include additional elements, or be consistent with regional and state growth management policies, unless, in fact, the plans are inherently effective planning tools.

- Local, regional and state growth management planning must be integrated. This does not mean that planning should become one monolithic, big brotherly effort. It does mean, however, that state-wide, regional and local goals and policies should be compatible and that planning agencies at all levels should be required to coordinate (rather than to just consult).

- Any new mandates for regional and state growth management should take into consideration the additional day-to-day work that will be required of local agencies to implement the mandates. It must be recognized that most agencies don't have the resources to keep up with existing planning mandates. The state cannot expect more effective local planning, or local implementation of regional or state-wide growth management, without first working with planners to understand and improve the existing local planning process.
- Local, regional and state growth management planning should be resource oriented. The extent of growth in an area should be based on (1) preserving significant natural resources (prime agricultural land, wetlands, riparian corridors, etc.), (2) planning within the capabilities of natural resources such as air and water, and (3) planning within the capabilities of human resources (police, fire, schools, recreation, etc.). In other words, we should learn to plan and grow within our means. To do otherwise invites the continued deterioration of our resources and quality of life.
- Although there is a pressing need for growth management at the regional and state levels, it is a complex subject that must be comprehensively evaluated, fully deliberated, and carefully implemented in order to be effective. Growth management in California should be pursued diligently, but not rushed.



July 19, 1991

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**State of California
Governor's Interagency Council
on Growth Management
1400 Tenth Street
Sacramento, California 95814**

Re: Growth Management and the Endangered Species Acts

Dear Council Members:

The City of Coalinga has initiated a regional planning process in western Fresno County wherein the state and federal Endangered Species Acts are used as mechanisms for managing growth. The approach is unique and deserving of presentation and discussion before this Council.

Before discussing the use of the Acts for managing growth, it is necessary to provide some background information. Coalinga is located in Pleasant Valley in western Fresno County, equidistant from San Francisco and Los Angeles. The community is cradled in the Coastal Range with a population of about 8,400 people. Its principle industries are oil and mineral extraction and agriculture.

Coalinga experienced an earthquake in 1983 which devastated the unreinforced masonry buildings in the downtown and older dwellings in residential neighborhoods. While recovery was underway, a downturn in the oil industry occurred, further demoralizing the local economy. The community decided it was losing its economic vitality and lacked the direction of a changing environment. Community leaders set out to identify methods and define techniques for stimulating economic diversification and fostering healthy change.

Planning and environmental documents were prepared for various projects including a relocation of an airport, and the construction of a return to custody facility and a regional industrial park. These documents concluded that any development in the Pleasant Valley region would have adverse impacts on the San Joaquin kit fox and the blunt nosed leopard lizard. Comments from wildlife agencies centered on obtaining various permits and establishing habitat preserves. The Interagency Council should note that obtaining the permits is lengthy and exacerbating process given the speculative nature of the problem.

After having experienced earthquakes and a serious economic downturn, Coalinga was in a position where it now had to address impacts on threatened and endangered species. The issue had reached the point where the community's General Plan required major revisions. Development projects were being frustrated as the Endangered Species Acts placed unusual attention on mitigation measures and other issues.

It was at this stage the City Council took an unusual step. The Council chose to take a proactive position with these environmental issues. It made the endangered species issue a component of its economic development efforts realizing that preserving wildlife habitat made "good business sense". Herein was the justification: any community that desired to improve or maintain its quality of life and attract economic development must provide for measures to improve and protect its own environment.

Coalinga has now embarked on a multi-species Habitat Conservation Plan for 160,000 acres. The purpose of the plan is to provide habitat for animals, insects, and plants that are presently listed as threatened or endangered, or will subsequently be listed, over the next 20 years. Total cost of the planning document is to exceed \$ 300,000. Additional funds are to be spent for preserve acquisition and enhancement. Some preserve sites have already been established.

A unique aspect to this effort is the involvement of the various parties affected by the plan. Thirteen groups, all with different agendas, have agreed to meet and discuss how such a plan would best serve all parties interests. These meetings are often lively, arduous and frustrating. However, all parties remain resolute to participate in the process. This group, collectively known as the Pleasant Valley Habitat Conservation Plan Steering Committee, has few significant by-laws, except one. It must unanimously agree on all of the decisions pertaining to the Habitat Conservation Plan. This is an important growth management element. For growth management to work, it must be carefully and thoughtfully crafted where all concerns are given proper consideration.

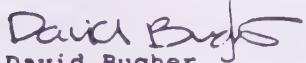
Coalinga will ultimately realize its economic potential. The Habitat Conservation Plan will provide a means by which open space areas are set aside in perpetuity not only for the welfare of the wildlife, but the public as well. Furthermore, the Habitat Conservation Plan will provide the balance between development interests and the protection of wildlife.

Additional benefits have occurred as a result of the Habitat Conservation Plan effort. There appears to be a greater sensitivity to wildlife issues by the development community due, in part, to the greater awareness of the issues and potential penalties imposed under the Endangered Species Acts for hurting or harming threatened or endangered species. Furthermore, Coalinga has also had to seriously review its General Plan over the next 20 years. This exercise has given the community the opportunity to reconsider its direction prior to initiating large scale development.

In summary, the Endangered Species Acts, have acted as a back door mechanism for regional planning and growth management in western Fresno County. Growth management conflicts can only be resolved by thoughtful collaboration involving all parties. Overall planning efforts are more focused.

Coalinga appreciates the opportunity to comment before the Interagency Council on the effects of growth management in a small valley community.

Respectfully,


David Bugher
Planning Director

John S. Holmes, M.D., Inc.

John S. Holmes, M.D.
Stephen F. Corcoran, M.D.
Orthopaedic Surgeons

Diplomates American Board of Orthopaedic Surgeons

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GROWTH MANAGEMENT COUNCIL HEARING, FRESNO, JULY 19, 1991

Comments by Dr. John S. Holmes - A Public Health Perspective

I wish to thank the Council for inviting me to speak today. My name was given to the staff by our Merced City Planning Director who apparently considered me to be an "environmentalist". While it is true that I am concerned about the environment here in the San Joaquin Valley, I consider my perspective to be more akin to that of a public health officer. I have attended many public hearings in Merced County over the past 6 years or so and I have been accused of being "the self-appointed Public Health Officer of Merced County", by at least one county resident - and when I heard that, I agreed and felt it to be an unintended compliment.

My comments this morning are limited to about 10 minutes so I will try to summarize some of what I have learned by being involved in local and State issues, and make several recommendations for your consideration. These written comments are somewhat longer than what I plan to say at this meeting, but are still only cursory and generalized. I would be happy to provide more information to the Council at a later date if so desired.

1. Air Quality:

The SJV has the potential to become worse than the L.A. basin in smog and air pollution. This warning has been given

Coalinga has now embarked on a multi-species Habitat Conservation Plan for 160,000 acres. The purpose of the plan is to provide habitat for animals, insects, and plants that are presently listed as threatened or endangered, or will subsequently be listed, over the next 20 years. Total cost of the planning document is to exceed \$ 300,000. Additional funds are to be spent for preserve acquisition and enhancement. Some preserve sites have already been established.

A unique aspect to this effort is the involvement of the various parties affected by the plan. Thirteen groups, all with different agendas, have agreed to meet and discuss how such a plan would best serve all parties interests. These meetings are often lively, arduous and frustrating. However, all parties remain resolute to participate in the process. This group, collectively known as the Pleasant Valley Habitat Conservation Plan Steering Committee, has few significant by-laws, except one. It must unanimously agree on all of the decisions pertaining to the Habitat Conservation Plan. This is an important growth management element. For growth management to work, it must be carefully and thoughtfully crafted where all concerns are given proper consideration.

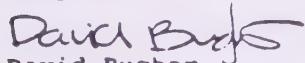
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Additional benefits have occurred as a result of the Habitat Conservation Plan effort. There appears to be a greater sensitivity to wildlife issues by the development community due, in part, to the greater awareness of the issues and potential penalties imposed under the Endangered Species Acts for hurting or harming threatened or endangered species. Furthermore, Coalinga has also had to seriously review its General Plan over the next 20 years. This exercise has given the community the opportunity to reconsider its direction prior to initiating large scale development.

In summary, the Endangered Species Acts, have acted as a back door mechanism for regional planning and growth management in western Fresno County. Growth management conflicts can only be resolved by thoughtful collaboration involving all parties. Overall planning efforts are more focused.

Coalinga appreciates the opportunity to comment before the Interagency Council on the effects of growth management in a small valley community.

Respectfully,


David Bugher
Planning Director



CENTRAL VALLEY ROCK, SAND
& GRAVEL ASSOCIATION, INC.
SAND-GRAVEL • CONCRETE • ASPHALT

PRESENTATION TO THE
GOVERNOR'S INTERAGENCY COUNCIL
ON GROWTH MANAGEMENT
OFFICE OF PLANNING & RESEARCH

CITY COUNCIL CHAMBERS
FRESNO, CALIFORNIA

JULY 19, 1991

P.O. Box 1464 Los Banos, California 93635 Phone (209)826-5955

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**There is no alternative
or substitute for
sand and gravel**

Mr. Chairman and Council Members:

On behalf of the CENTRAL VALLEY ROCK, SAND & GRAVEL ASSOCIATION (CVRSGA) membership, and all the other mineral associations, in the state, I'd like to express our appreciation for the invitation to address the Council on Growth Management to discuss growth issues from our particular perspective (Attachment 1 and 2).

I'd like to begin by quoting from a February 23, 1961 speech by John F. Kennedy:

"Our society rest upon - and is dependent upon - our water, our land, our forest and our minerals. How we use these resources influences our health, security, economy, and well being."

CVRSGA is fond of this quotation because it emphasizes the importance of mineral resources in today's world. It implies that our choices in utilizing these resources should be balanced by economic and social considerations (Attachments 3, 4, and 5).

Continued availability of the mineral aggregates found in California is an essential component in addressing growth, whatever the context. Any growth management plan or policy - be it no growth, limited growth, controlled growth or pro-growth - will require mineral resources to sustain it.

An adequate supply of sand and gravel mineral resources must be available to construct the services demanded by Californians for infrastructure maintenance, improvement and development, affordable housing and water storage, conservation, and conveyance systems (Attachments 6 and 7).

Californians are consuming an average of 121 million tons of sand and gravel annually (Attachments 8, 9, 10 and 11).

We are not permitting new lands to offset this rate of depletion. Since mineral occupy less than 1% of California's lands, any loss of these lands for whatever reason is significant. It will affect our industry's ability to provide a low cost construction aggregates to sustain growth.

Unlike other land uses which might be considered in growth management policies, mineral resources can only be developed where they are found (Attachment 12). We do not have the luxury alternative of locating this particular land use. GMC policies should encourage local government to strengthen General Plan policies which emphasize the importance of mineral resources and the necessity of compatible land use decisions on or near mineralized lands. These measures will enable and enhance growth objectives by assuring resource availability.

Similar to all development proposals, aggregate resources compete with special interest visions of what type of development should occur on a particular piece of property. Mineralized lands are often overlain by agricultural soils, wildlife habitats and located in areas that are rapidly urbanizing. Certain interests wish to preserve mineralized lands in perpetuity as greenbelts (American River Parkway, San Joaquin River Parkway). Others wish to convert these lands to residential or urban use. Development of aggregate resources fall prey to the "Not In My Back Yard (NIMBY) and "Local Undesirable Land Uses" (LULU) attitudes. As a result, the ability to recover a finite non-renewable resource is compromised. Growth management policies should be balanced by necessity for aggregate resources.

Development of mineral resources are controlled by local government in their land use decisions guided by their General Plan Policies. We believe that local control is appropriate because minerals occur throughout the state in diverse geologic, topographic, climatic and biologic settings (SMARA/PREC Section 2711 (c)). Consequently the operational characteristics and alternative post mining uses will vary. The project design relies upon the needs of the community where the resource is developed.

This is particularly true in the case of sand and gravel resources which must be utilized and developed locally. Because they are a high volume, low unit value commodity, transportation costs to the marketplace have a significant impact (Attachment 13, 14, and 15). The transportation of these resources 25 miles away from the recovery site can exceed the value of the product. Developing aggregate deposits farther away from the local markets will put more trucks on the road, increase fuel consumption and further exacerbate efforts to achieve air quality attainment standards.

Aggregate recovery activities are interim land uses. Post mining or alternative land uses are designed as part of the local permitting process. This industry has the unique opportunity of developing uses which are custom tailored to the needs of local communities. They often assist state objectives by creating wetland & wildlife habitats, recreational opportunities, landfills, topographically depressed industrial parks and so on (Attachment 16). Although post mining land uses are limited only by the boundaries of one's imagination and economic considerations, decisions regarding what is suitable and how to achieve it, can only be accomplished at the local level of government.

Since the public sector is the largest user of sand and gravel resources, it is appropriate for the State to have an interest in resource management. The State's role is contained in the Surface Mining and Reclamation Act (SMARA) of 1976 (PRC Section 2710 - 2795). SMARA requires the State to assist local government by providing them with an inventory of mineral resources and technical assistance on individual reclamation project designs. With respect to mineral inventories, only about 25% of the State has been completed (Attachment 17). In order for local government to make informed land use decisions, these reports need to be expedited. Although not a perfect system, the State's oversight authority in SMARA provides consistency and allows local government authority to deal with the unique characteristics of resource recovery in their jurisdictions.

The thought of creating another layer of government to address or facilitate local government will only frustrate the present permitting process. It takes 3-5 years to qualify aggregates lands for recovery activities with 1/2 million dollar price tag. Orange County estimates the combined permitting process to add \$20,000 to the price of a home. We do not need more regulatory bureaucracies which compromise our ability to provide aggregate resources at a low cost for affordable housing and infrastructure demands (Attachment 18, 19 and 20).

To summarize:

1. Mineral resources are essential to the social and economic well being of the Citizens of California;
2. Mineral resources are finite and non-renewable occurring on less than 1% of the lands in California

3. Management of mineral resources is essential to growth management by assuring available, low cost aggregates for construction of affordable housing and infrastructure.
4. Local government is best suited to govern resource development.
5. Post mining land uses are designed to meet the needs of the local community while often fulfilling state objectives.
6. The state's interests should continue to be fulfilled by identifying mineralized lands and providing technical assistance to local government.

The GMC might consider the following suggestions in their recommendations to the Governor which would emphasize the role of resources in meeting growth objectives.

- A) Mandate a Mineral Resources Element in local General Plans.
- B) Endorse and encourage efforts to map mineral resources occurring under the Department of Mines and Geology.
- C) Amend the California Environmental Quality Act to include the loss of mineralized lands as a significant environmental impact.

We have provided several attachments which support our testimony and demonstrate how dependent our society is upon mineral resources.

Thank you again for the opportunity to share our thoughts with you on how our industry can continue to provide California with the Minerals necessary to build our future.

Respectfully submitted,

CENTRAL VALLEY ROCK, SAND & GRAVEL ASSOCIATION



Linda A. Falasco, President

DIRK POESCHEL

Land Development Services

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July 19, 1991

State of California
Governor's Interagency Council on Growth Management
City of Fresno Hearings
2326 Fresno Street
Fresno, California

Dear Interagency Council on Growth Management:

Thank you for the opportunity to address your council on growth management. Our ability to manage our destiny is one of the most important tasks we have before us in the coming years.

As California grows at a pace and in areas that few thought could occur, results of that growth are coming into focus. As California grows, some portions of the state have reached their physical limits of growth and it is not a pretty sight.

Californians want change in our growth policies. The magnitude of their frustration is demonstrated by the fact that no one appears satisfied.

Some environmentalists suggest changes in our life style that would require far-reaching alterations in our culture and economy, changes that few are prepared to make. When the end justifies the means, nothing is sacred.

In contrast, business interests are motivated by the simple need to survive the Darwinian drama of economic survival. A survival of changing rules, competing dynamics and competition from national economies unrestrained by our cultural biases.

Government attempts to keep the parade marching straight and to the same tune while being criticized for being out of step with everyone.

By means of this presentation, I wish to present some observations from my experience and close with appropriate recommendations.

My firm, Dirk Poeschel Land Development Services, specializes in project design and regulatory assistance. My experience has required successful handling of matters within many California cities. In addition, I have worked with federal agencies and state agencies in the pursuit of complex and controversial projects such as solid waste facilities, cogeneration plants, food processing plants, planned communities, hotels, and telecommunication facilities.

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Prior to establishing Dirk Poeschel Land Development Services, I performed land planning with a Fresno engineering firm for eight years and was a Staff Analyst with the Fresno County Planning Department where for four years I processed various land use entitlements of all types and sizes.

My client list includes some of our countries best run companies including Caldwell Banker, Continental Telephone, K-Mart, The Nature Conservancy, Paragon, Texaco Refining and Marketing, United Artists, and Western Waste Industries.

In the interest of time, I have selected three examples of how the land use entitlement process may be improved. The first has to do with the acquisition of property for public purposes.

Currently, local agencies can expend funds to study the acquisition of real property and hold public hearings for that acquisition without notifying the property owner.

Respect for the sanctity of property rights and a decent concern not to cause unnecessary disruption to the property owner suggest that direct notice to the owner of the agency's intent should be required before any public hearing is held to study and/or acquire property for a public use.

Second, negotiations to determine appropriate project mitigation measures often require participation by various agency representatives. These agency representatives are party to sensitive information. Some agency representatives hold views or are members of groups in opposition to projects or programs and at the same time participate in negotiating with the project proponent.

I am aware of instances where these agency representatives who are party to agency negotiations have publicly opposed the very settlement on which they worked on behalf of the state to create.

This circumstance represents bad faith negotiations and places the project proponent at an unfair disadvantage. It also blurs the responsibility of the agency.

✓ Public agency participants of negotiations should be banned from publicly appearing in opposition to any project in which they participated on behalf of any public agency.

I believe people want to protect the environment. Our differences center on what degree of protection is warranted and who should pay for the protection.

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CEQA process

What is to be protected is determined through the Environmental Impact Report (E.I.R.) process, which requires an analysis of the project's potential impacts. The legislative intent was to establish a process to effectively determine a project's potential impact. To the great disadvantage of the public and private good, the system has metastasized into an absurdly expensive, overly complicated, often misdirected process - a process to delay and destroy a project.✓ My suggestion to you as decision-makers is that you establish definite time limits by which specified steps in the E.I.R. process take place. Consideration should also be given to require a maximum time in which to prepare an E.I.R. and its related elements.

In one example of how environmental analysis apparently can have no ending, a dead animal, found on a major roadway and deformed beyond recognition, was used as the basis to require further studies because the dead animal might have been an endangered species.

Under current federal and state law, projects that cause impacts to habitat of rare or endangered species must replace or "offset" the impacts to that habitat.

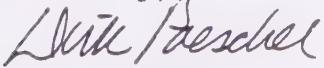
An example of just one element of the mitigation folly is the plight of a cogeneration plant in western Fresno county. This project was unanimously approved by the Planning Commission and received no opposition at the hearing. Nevertheless, it took the Federal Fish and Wildlife agency 18 months to issue their permits, which placed the entire project in jeopardy due to contractual limitations relative to the delivery of power.

- ✓ It is shameful that while American lives were at stake during the Gulf War to provide us with resources to run our economy, development of American natural gas and oil was stalled. The outcome: 179 acres of mitigation lands had to be purchased for the kit fox and the proponent had to make a payment for maintenance in perpetuity of that land just to get use of the 5 acre plant site. The worst part of this example is that it took the 18 months for the process to conclude.

Thank you for the opportunity to explain my views on necessary elements to any growth management program. I look forward to answering your questions and providing future input to the Council on Growth Management.

If you have any questions, please feel free to contact me.

Sincerely,


Dirk Poeschel



John S. Holmes, M.D., Inc.

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GROWTH MANAGEMENT COUNCIL HEARING, FRESNO, JULY 19, 1991

Comments by Dr. John S. Holmes - A Public Health Perspective

I wish to thank the Council for inviting me to speak today. My name was given to the staff by our Merced City Planning Director who apparently considered me to be an "environmentalist". While it is true that I am concerned about the environment here in the San Joaquin Valley, I consider my perspective to be more akin to that of a public health officer. I have attended many public hearings in Merced County over the past 6 years or so and I have been accused of being "the self-appointed Public Health Officer of Merced County", by at least one county resident - and when I heard that, I agreed and felt it to be an unintended compliment.

My comments this morning are limited to about 10 minutes so I will try to summarize some of what I have learned by being involved in local and State issues, and make several recommendations for your consideration. These written comments are somewhat longer than what I plan to say at this meeting, but are still only cursory and generalized. I would be happy to provide more information to the Council at a later date if so desired.

1. Air Quality:

The SJV has the potential to become worse than the L.A. basin in smog and air pollution. This warning has been given

to us repeatedly over the past several years by the ARB - yet economic growth and development decisions continue to largely ignore this problem. There have been some good changes by the ARB, but unless the rate of growth is addressed, our air pollution will continue to deteriorate inspite of improved auto emission controls and tighter regulations on stationary sources.

I have discovered in Merced that the local environmental and health officials cannot begin to really do their jobs well. The system is arranged so that these people are under the authority of the local political officials and are therefore put in too difficult a position to act responsibly. I have discovered the same problem exists in Stanislaus and Fresno counties, and the recent Kern County APCD audit by the EPA and the ARB confirms the extent to which local regulators and "protectors" of the public health are colluding with politicians and special interests to weaken and/or disregard the public health and safety regulations.

My recommendation to you is that air quality must be addressed at the State level. Senator McCorquodale's bill (SB124) would go a long way toward improving this situation.

2. Comprehensive Planning:

We must have a statewide growth and development plan if California is to survive as anything like the place we all love. We know that it is rapidly being ruined, through a combination of rapid growth and irresponsible planning. The Council should create a statewide plan dividing the state

into its various regions and then developing plans for regional growth and development, which I assume you are initiating by these very hearings. The San Joaquin Valley is a region in desperate need of an identity. We have a unique and fabulous agricultural valley which is being progressively urbanized and encroached upon by irresponsible development, often on prime ag land. At present there is no adequate mechanism to define what will remain ag land and what land can be developed. We have developers and business people advertising all over the country to attract more industry here. Clearly, this identity needs to be focused so that proper zoning can protect our good farm land. Again, I believe only the State can seek out the informed, uncompromised information and make the major decisions - local officials cannot be expected to make the responsible decisions because of economic short term pressures.

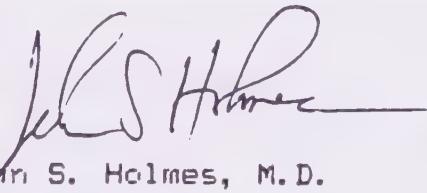
3. The Problems With Local Planning:

The City of Merced has developed a 40-year growth plan which is currently being discussed at public hearings. Local officials are quite proud of themselves for their "forward" thinking so far into the future. The plan is based on "the village concept" which is supposed to resemble European villages. Having lived for 3 years in Germany and 6 months in Austria, I can tell you these "villages" are not very similar to Europe. What this plan really represents is an effort to allow unrestrained growth in such a way as to make it appear organized and regulated. The plan still relies

primarily on the automobile; gives only lip service to mass transit; does not integrate new school construction with new subdivision construction; does not address air quality impacts; and does not consider the cumulative impacts of similar growth rates in Merced County and the surrounding counties. Clearly, if we are to have a chance of preserving our quality of life and maintaining some semblance of livability for our future generations, the various cities and counties in the San Joaquin Valley must not be allowed to develop their own growth plans. The State must oversee and coordinate these plans on a regional basis, with proper zoning restrictions being the key to limiting the rate of growth to a sustainable level.

I hope that the Council will solicit input from the CMA and from public health officials for their perspective on proper growth management and planning. The economic pressures for growth may be tremendous, but our long term prospects for this state's continued livability and vitality are bleak unless the public health perspective is taken much more seriously.

I wish to again thank you for this opportunity to express my concerns to you,



John S. Holmes, M.D.



THE LEAGUE OF WOMEN VOTERS OF FRESNO

1028 N. Fulton • Fresno, CA 93728

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(author) Barbara Tokmakian
(speaker) Gina Hill

Ali Gloria
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July 19, 1991

STATEMENT TO THE GOVERNOR'S GROWTH MANAGEMENT COUNCIL HEARING IN FRESNO JULY 19, 1991

The League of Women Voters of Fresno is pleased to be invited to discuss the issue of growth management with you. This has been a problem the League has recognized for many years at the local level and we welcome the state's concerns. The consensus of our membership is represented in carefully researched and discussed positions on land use planning, agricultural land preservation, transportation, air and water quality and solid waste management. Basic to all of the League's positions and action is the principle that democratic government depends upon the informed and active participation of its citizens. Thank you for holding this hearing to solicit public discussion before making plans that will affect all of us.

THE LOCAL PROBLEM

The City of Fresno has had a growth management policy for new development for many years. Although it has been a somewhat successful vehicle for assessing new development for the cost of infrastructure, it has not been particularly successful in preventing urban sprawl, limiting downtown decay, reducing the pressures on prime agricultural land, protecting the air and water quality of the region or preserving open space. These are all facets of growth management that seem particularly difficult for local governments with the economic and political pressures facing them.

Significant urban growth is just now becoming a reality for this region. The cities of the San Joaquin Valley are beginning to experience the explosive growth problems that have overwhelmed Los Angeles and the Bay area. Population projections indicate that the next decades will bring alarming increases to all cities in the valley. We aren't prepared for that and are likely to repeat the mistakes of larger neighbors have already made.

Topography does not provide the Fresno-Clovis area with any real barriers to growth. The land surrounding the cities is level, fertile and very cheap compared to the Los Angeles area and the Bay area. Farmers can realize tremendous profits when their land is converted to urban uses. The county's fiscal problems can be partly addressed with the increased tax base that urban scale projects bring even if they are much beyond any city's sphere of influence.

League of Women Voters of Fresno - page 2

Controlling growth and directing it where it is most beneficial to a city or region often is expensive both to the government and to the developers. Providing the amenities such as open space or efficient transportation systems that need to accompany growth is particularly expensive in the short run, although the long term benefits greatly outweigh initial costs.

THE REMEDIES

Because the problems of the large metropolitan areas of the state are not as much controlling new growth as in accommodating the growth that has already occurred, a growth management plan for California should aim to prevent similar problems from occurring in the less populated portions of the state where the next wave of growth will be centered.

The League believes that in order to effectively cope with the expected growth problems that are sure to come, several things are needed: policies and incentives to help county government limit the development outside of the incorporated cities; incentives for the creation of permanent open space; policies to encourage the retention of prime lands in agriculture; help for cities to improve the climate for inner city revival; and, particularly here in the Madera-Fresno counties' area, a catalyst to force regional cooperation in planning for the area bordering the San Joaquin River.

A growth management plan should not stand alone but should be part of state land use planning that recognizes land as a resource as well as a commodity. The state should establish guidelines and standards for land areas of more than local concern and maintain some oversight of these areas. Agricultural land should be recognized as a limited resource that must be preserved for the economic and physical well-being of California and the nation.

In areas where urban growth spills over county borders, as is occurring between Fresno and Madera Counties along the San Joaquin River and between Fresno and Tulare Counties along the Kings River, the county government structure is particularly ill-adapted to work together to adopt joint solutions. Regional government is not yet called for but the state should seek a more creative method for local counties to cooperate for their joint economic and environmental benefit.

Much of the growth that will occur in the valley can be accommodated within the boundaries of existing cities and their sphere's of influence. However, it will not happen there as long a cheaper land exists outside city boundaries and cities are perceived to be center for minorities and crime. Cities need help in retaining existing business; attracting new business; maintaining their downtowns as places to work, shop, play and live; improving their

League of Women Voters of Fresno - page 3

transportation system and the mix of transportation modes; providing housing that is safe, attractive and affordable to all economic groups; and in safeguarding sufficient land for parks and recreation areas for its expected population. The balance of governance between cities and counties is delicate and it is here that state growth management policies can help the most. Loss of agricultural land to urban growth needs to be discouraged, disincentives for industry and suburban development to locate outside of urban boundaries need to be strengthened.

Similarly, counties need help in financing the services they are required to provide so that there is not a need to raid the city's economic base. There should be techniques for preserving agricultural land which would include tax relief, tax incentives and less than fee purchase of development interests in farmland. Some of these should be required and not left up to the option of the individual county.

If growth in the San Joaquin Valley is going to be adequately accommodated then it is absolutely essential that maximum efforts be employed to insure that the existing air pollution is reduced and new sources are not added to the pollution burden.. Similarly, a major effort must be made to limit pollution of the ground water and to clean up the pollution that is already threatening major portions of our cities. These efforts are beyond the financial means of the citizens in the valley counties and cities to accomplish adequately. Therefore, it is incumbent upon to state when it has solved its budget woes to get on with finding ways to help the local governments with these problems.

The League of Women Voters will be looking forward to receiving more information about a growth management plan for California. We will welcome the opportunity to participate in its formation at every stage. Thank you.

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San Joaquin River
Parkway and
Conservation Trust

► Bette Chase

Clary Creager

Lewis Eaton

Diane Gandalfo

David Grubbs

Coke Hallowe

Les Hayes

Gloria Jackson

Garland Johnson

Ed Kashian

Leonard Meyer's

Joseph Pendera

Ron Rempe

Mary Savar

Darwin Sheddell:

Margaret Thorburn

Mike Urrutia

Spalding Wather

John Wissler

Jeff Boswell
Legal Counsel

► Dave Koehler
Executive Director

Dudley Varner
Development Director

Patti Telles
Administrative Assistant

TESTIMONY OF DAVE KOEHLER OF BEHALF OF THE SAN JOAQUIN RIVER PARKWAY AND CONSERVATION TRUST AT THE GOVERNOR'S GROWTH MANAGEMENT COUNCIL HEARING, CITY OF FRESNO, JULY 19, 1991

Mr. Chairman and members of the council, my name is Dave Koehler and I serve as Executive Director of the San Joaquin River Parkway and Conservation Trust. Our organization's mission is to preserve and restore San Joaquin river lands of ecological significance, to educate the public on the need for stewardship, and to promote educational and recreational uses of the river bottom consistent with protection of its environment. The Trust is grateful for your invitation to express our concern for maintaining a healthy San Joaquin River environment for our community.

Defining the boundaries of Fresno and Madera Counties, the San Joaquin River downstream of Friant Dam supports a significant remnant of the remaining 2% of California's original riparian forests. Within a few minutes of town, our community still enjoys water full of fish, majestic oaks and sycamores, and glimpses of elusive beaver and deer.

The area is changing, though, and changing rapidly. As urbanization in the region grows, growing right along with it are the sheer number of people who want to be next to the river. Growing too is the need to treat our special landscape with a sense of stewardship.

As our community grows, we can ask the following questions of ourselves to determine our success in being good stewards of the River:

Is the Floodplain protected?...for maintaining a healthy riparian corridor in addition to the obvious health and safety issues.

Are Significant Wildlife Areas Preserved?...so future generations can enjoy natural recreation element as part of their cultural base.

Are Sand and Gravel Resources Conserved?...to provide an adequate supply to a growing community...and as they are mined, reclaim the land to improve wetlands or upland habitat.

Are Archaeological and Historic Sites Preserved?...to provide us with knowledge of the past and give us a sense of place in the present.

Is There An Adequate Supply Of Clean Water?...to maintain a healthy riparian forest, support fisheries, and provide quality recreation.

For the past three years, the Trust has been working to establish a San Joaquin River Parkway so that our community can answer a resounding "YES!" to these questions.

Far beyond conserving natural resources, the parkway will provide quality of life for our citizens, economic growth to businesses, and upgrade our educational infrastructure.

The Trust believes that the San Joaquin River's resources are of statewide significance. As many of you know, the State Department Of Parks and Recreation is finalizing a specific parkway plan due out in September of this year.

With that in mind, the Trust solicits your support in the following:

- The current emphasis and resources available to the Wildlife Conservation Board and the

Department Of Fish and Game should be strengthened to conserve and restore a sustained wildlife corridor downstream of Friant Dam.

- Through the San Joaquin River Management Program, the Department Of Water Resources should make recommendations for increased flows to improve riparian forests, fisheries, wildlife, water quality, and recreation.
- When approved, programs such as the Riparian Habitat Conservancy and the California Riparian Parkways Act can help our parkway implementation.
- The State Department Of Parks and Recreation should work in conjunction with local jurisdictions to jointly determine the creation of an entity to uniformly manage a parkway in the three government jurisdictions.
- We should work at the local, state, and federal levels to implement funding strategies that result in a successful implementation.

In summary, the urbanization rate of the community increases the need to address the resource issues of the San Joaquin River. The river is a resource of inspiring beauty and economic wealth. It is our charge to deal with it intelligently.

Again, thank you for the opportunity to present these comments to you today. We are very appreciative of the support we have received at all levels of government and we look forward to your help in creating the San Joaquin River Parkway.



SAN JOAQUIN RIVER COMMITTEE
P.O. BOX 14166 PRESNO, CALIFORNIA 93650

July 19, 1991

Attention: Patrick Dorais

State of California
Governor's Ofice
OFFICE OF PLANNING AND RESEARCH
1400 Tenth Street
Sacramento, California 95814

Notes of R.Douglas Vogl, President
SAN JOAQUIN RIVER COMMITTEE, addressing the Growth Management
Council Hearing in Fresno, July 19. 1991

Good People:

I would like to start with a quotation from Margaret Mead: "Never doubt that a small group of thoughtful, committed citizens can change the world: indeed, it's the only thing that ever has." When the San Joaquin River Committee was formed in the late 1980's, the Committee wasn't out to change the world, just to save what is left of the San Joaquin River and the wildlife the river bottom supports. That is still our goal.

We are not urban planners, we are urban dwellers, but we recognize the wonders of nature and appreciate those natural beauties for what they are and have been. We are concerned that growth and development are robbing this land of its future. Our communities act as if we inherited this land from our forebears but are bound to spend that inheritance before we die. We should be regarding it, instead, as if we have borrowed it from our children and the generations after them, who will need it to enjoy the quality of life loving parents wish for their children. Rachel Carson told us, "All the people of a country have a direct interest in conservation." The problem the San Joaquin River Committee is finding is that to pursue our objectives we must be so committed to them that some think we should just be committed. We, on the other hand, have difficulty understanding why our objectives are not recognized as imperatives in managing our Valley's growth into the next century.

Our committee has been frustrated by a lack of leadership on the part of elected officials who appear more concerned with getting re-elected than in serving the public weal. We certainly applaud Governer Wilson's leadership in proposing his measure for a Resourceful California. We endorse his measure, and look to his administration's leadership to help

us in achieving some of our goals, which we believe are in the best interests of all Californians. Our specific concerns for the San Joaquin river and river bottom area are critical for the central valley. You are aware of the population growth in California today; approximately 700,000 new people yearly, many of whom are settling in the central valley, or relocating here in flight from higher housing costs along the coast. Yet our central valley has much less in the way of parks and parklands than Northern or Southern California. Our famed parks of the region are popular worldwide, and in danger of destruction from over-use. The valley needs more recreational areas, and measures must be taken to ensure them before development pressures make them positively unaffordable , or just absolutely impossible.

Only about two percent of California's rivers of two hundred years ago remain. Native Americans harvested salmon on the San Joaquin River up until Friant Dam was built in the 1940's. It may not be too late to save this unique resource, but if it is to be saved, then we will only be in the nick of time. The time for efforts is now, before development is irrevocable and the wildlife resources are lost.

The San Joaquin River Committee would ask that the state provide whatever assistance can be provided to create a San Joaquin River Parkway. Specifically, funds are needed for agency formation for whatever entity is to manage the proposed parkway, funds are needed for land acquisition so that landowners are fairly compensated for the transfer of lands into the public trust, and monies are needed to construct the parkway.

Our view of the proposed parkway is that it is a resource for all Californians, which leads us to our last comments concerning growth management in the central valley. The Cities of Fresno, Clovis and Madera are growing together, as Torrance and Manhattan Beach have been swallowed by Los Angeles in the perception of all but those who live there. The County of Fresno has grown by expanding into Madera County, passing untold costs on to Madera County, and demonstrating the lack of regional planning that could so much better provide sound land use decisions. The sprawl that is southern California doesn't need to happen all over again in the central valley, but unless some leadership is applied from the state level, we believe the sprawl will encompass us all, taking the remainder of the best arable land with it, depleting unnecessarily our most precious of natural resources, water. We would urge the Governor to undertake efforts to oversee regional planning concepts applied to the San Joaquin Valley, and assist the cities and counties in raising their sights, enabling them to deal with our larger community's interests.

Respectfully submitted by the San Joaquin River Committee

Doug Wool
President

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THE UNIVERSITY OF CALIFORNIA, FRESNO COMMITTEE

PATRICIA LALIM-FALCONE, CHAIRPERSON

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July 19, 1991

REGIONAL SEMI-AUTONOMOUS GOVERNMENT FOR THE SAN
JOAQUIN VALLEY OF CALIFORNIA
A PROPOSAL

The San Joaquin Valley needs a very thin diaphanous network of government to float over the area to cover and provide structure and unity for the following components inclusive but not necessarily limited to: air quality control, land use, water management, transportation networking and good education for the people. This proposed Sem-Autonomous Government would help provide a free and positive interaction between the San Joaquin communities.

AIR QUALITY CONTROL

Last Saturday my husband and I drove from Fresno to Beverly Hills. The air was irritating to breathe whether we were in the mountains or in the valley. It was an exhausting experience. As we drove along we discussed a recent article in the July, 1991, Vital Signs a publication by the Fresno-Madera Medical Society entitled, "Research Shows Lung Damage from Air Pollution". The California Air Resources Board sponsored research by Russell Sherwin, M.D. of The University of Southern California. His research focused on young accident victims between the ages of 14 and 25. Most of the subjects were life-long residents of the South Coast Air Basin. Sherwin reported, "The outstanding finding was the presence of some degree of Centriacinar Region Disease (CAR). CAR is a chronic inflammation of the respiratory bronchial tubes or nearby organs. It can be accompanied by pneumonia or emphysema. Chronic bronchitis was present in 102 of 104 bronchial tubes examined. Nearly all the lungs examined showed some inflammation. The message conveyed clearly shows that air pollution causes accelerated aging! This information is at odds indeed with our youth-oriented healthy image.

Only a valley-wide regional authority can control air quality in the valley.

LAND USE

Anti-growth regulations need to be created in certain areas to protect good farm land. Let us look upon the Regional Semi-Autonomous Government and its representatives as facilitators who are here to help us. The time for guidelines has come and gone.

Speaking as a Minnesota farm girl I feel that it is inevitable that the planning for urban and rural development take place now. I am wondering where my great grandchildren will get their food.

It is inevitable that the planning for urban and rural development take place now. We mustn't encroach on prime agricultural land.

Only a regional authority can control land usage so as to benefit all who live in the valley.

WATER QUALITY PROBLEM

We need to be able to develop a central coordinating body to insure equitable distribution of water between agricultural and metropolitan areas. Plans need to be made for efficient water reservoir storage that are also geared to hydroelectric facilities such as found in Norway, Switzerland and Northern Italy.

Let us not forget that toxic wastes disposal systems need to be developed properly to avoid contamination of our aquifers.

The hodgepodge patchwork districts which exist need to be related and integrated under the Regional Semi-Autonomous Government of the San Joaquin Valley.

Only a regional authority can do the planning on the grand scale that is needed in this valley.

TRANSPORTATION

- ✓ Electric high-speed trains and other modes of transportation which will network the San Joaquin Valley and integrate it with other parts of California need to be planned for now. These plans in turn need to be coordinated with proper land use. Even greater population growth than we have at the present time, without proper planning, could occur as a resultant effect.

It is ridiculous to hear that it will take fifteen years to construct such a system when the conditions in the valley are much better for such construction than those in the countries which already have high speed systems running now.

Only a regional authority can facilitate the intensive planning necessary for land management to take place. Our San Joaquin Valley is the source of a large percentage of the food consumed by people outside the boundaries of valley.

EDUCATION

Education should focus on the unique problems of the San Joaquin Valley. We all know the illiteracy rate is appallingly high. According to a University of California statistician at the present time the California's population is growing at a higher rate than that of India's! We should address the task of educating all people at all levels. College truly begins in Kindergarten. Our educational system in the San Joaquin Valley needs to accommodate everyone and everyone's needs.

Only a regional authority can utilize the proper resources to help our new immigrants and refugees to adjust and become productive citizens.

A University of California, within the valley through its research and teaching program will help us develop our own abilities to solve many of our problems.

It should be obvious that only a regional authority can assume responsibility for planning and coordinating the conditions of life that will enable all of us to enjoy a better quality of life.

Of course this regional authority needs to be delicately balanced so it does not encroach on politically sensitive prerogatives of individuals' communities and the government of the State of California.

In closing The University of California, Fresno Committee requests that you choose the San Joaquin Valley, the heart of California for your proposed pilot study.

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VITAL SIGNS

of the Fresno-Madera Medical Society

Vol. 13 Number 7

Dedicated to Bringing the Society to its Membership

July 1991

Research Shows Lung Damage from Air Pollution

Research sponsored by the California Air Resources Board has documented permanent lung damage in young adults with long-term exposure to Southern California air pollution. This provides some of the most definitive evidence yet of health threats from poor air quality.

Researchers found early signs of permanent lung disease in 104 out of 107 young accident victims between the ages of 14 and 25. Most were life-long residents of the South Coast Air Basin. Despite the documented damage, almost none had outward signs of breathing disorders based on a review of medical records.

The \$219,000 study was designed to overcome inherent problems that can bias results of most long-term research efforts. By focusing on young adults, researchers minimized the potential effect of smoking or occupational exposure to pollution.

Russell Sherwin, MD, of the University of Southern California School of Medicine, spearheaded the research. Dr. Sherwin reported, "The outstanding finding was the presence of some degree of Centriacinar Region Disease (CAR). We expected to find some disease, but we didn't expect to find

as much in people so young."

CAR disease is chronic inflammation of the respiratory bronchial tubes or nearby organs. It is often seen as a subclinical or invisible disease, but it can be accompanied by other more harmful diseases such as pneumonia or emphysema.

Chronic bronchitis was present in nearly every case, and was seen in 102 of 104 bronchial tubes examined. Of those, 73 showed only slight to moderate damage, while 17 showed severe bronchitis. The other 14 showed little or no disease.

Nearly all the lungs examined showed some inflammation although only 27% had severe damage. Another 51% showed slight or moderate inflammation, and the remainder had little or no inflammation. Chronic interstitial pneumonia, a form of the disease found deep within lung tissue, was found in about one-third of the lungs autopsied.

The report emphasizes that nearly all adults have some degree of emphysema. Those over the age of 50 may have lost up to 50% of their lung reserves, in part because of the accelerated aging caused by air pollution.

**Testimony to the Governor's Interagency
Council on Growth Management**

**By Mike Wade, Executive Director
Merced County Farm Bureau
July 19, 1991**

Thank you for the opportunity to speak today. My name is Mike Wade and I serve as Executive Director of the Merced County Farm Bureau.

Land use decisions will be one of the primary factors affecting the quality of life for residents in California in the coming years. Decisions made today will affect the generations who reside within our borders for the next one-hundred and fifty years, just as land use decisions made long ago affect the appearance of our state today.

Agriculture is Merced County's #1 industry. We had over \$1 billion in farm income in 1990.

Agriculture employs 21% of our county's workforce. That figure climbs to 33% when you include food processing

Merced County is located near the geographic center of the state on a gently sloping alluvial plane. Our soils, as with much of the valley, are made from erosion out of the Sierra Nevada Mountain Range.

Sixty-five different agricultural products are grown in Merced county. In fact, most anything can be grown here.

Because of our high product quality, ample production and convenient location to shipping ports, we export to over 50 countries including China; Eastern Europe; South America; Japan; Canada; Mexico and many Pacific Rim countries.

Internationally known food processors have located in Merced County to take advantage of our agricultural production and diversity. Some of them are: Tri-Valley Cannery; E&J Gallo; Foster Farms; Ragu Foods and Ingomar Packing; Hilmar, Gallo and Beatrice cheeses; JR Wood; and Roger's Foods.

These companies are here because of one thing: a quality, dependable source for their processed products.

The San Joaquin Valley is considered to be one of the world's most important growing regions. Agricultural production is not something that can be accomplished just anywhere. California is unique to the world in its climates, water resources and productivity. A prime example is Tule Fog through the winter months which keeps the valley cool and provides sufficient "chill hours" below 40° required for almost all fruit and nut crops.

Although Merced County is primarily an agricultural county, only 50% of its geographic area is devoted to crop raising. Over half the agricultural land is in low income producing crops such as pasture or foothill rangeland. In fact, only 20% of the farmed land accounts for 80% of the gross agricultural receipts for the county.

Communities settled areas in the Valley 150 years ago in areas of good cropland. It was the natural choice because most Americans then were closely related to farming.

Now, these growing communities are converting the best ag land to urban uses and forcing agriculture to look for replacement land which is often not as productive.

The loss of California agricultural land is not something that can be mitigated in another area of the country. There are no other growing regions like this in the United States and only two or three like it in the world.

We have a responsibility to assure that an adequate food supply can be produced for coming generations.

The State needs to take meaningful actions for farmland preservation and must take a leadership role in the protection of farmland. California's prosperity is due in large part to agricultural exports. California and the United States trade balance has been enhanced by exports from the Central Valley.

State policies related to agriculture are spread out in various sections of code. You can find agricultural policies in sections of the Government Code, Statutes, Public Resources Code and Civil Code. It is important that State agricultural policies be assembled in a meaningful fashion to ease the burden of identifying and implementing them.

Agricultural elements as part of a county's General Plan should be mandatory. The State should enforce its Right to Farm policy and require adoption of local ordinances with real estate disclosures for property buyers.

Farm Bureau opposes regionalism of government. However, where metropolitan areas cross county lines, or transportation corridors inextricably link neighboring counties' patterns of growth the concept of regionalism may be appropriate.

Farm Bureau policy has called for no increase in the 1% tax limit under Proposition 13 and was amended recently to oppose any legislation that would increase the 1% limit on agricultural land as well.

Recent statistics show that Americans spend as little as 10% of their disposable income on food. That is by far the lowest percentage of income anywhere in the world and leaves much more money available to support other industries through purchases of goods and services.

Americans spend very little on food because supplies are high compared to demand and prices are driven down.

A strong agricultural policy is good for policy for everyone. It provides jobs, economic stability and benefits to other industries who depend on consumer dollars for profitable business.

Thank you again for the opportunity to speak today.



Tulare County Farm Bureau

737 North Ben Maddox Way • P. O. Box 748 • Visalia, CA 93279-0748 • (209) 732-8301 • FAX (209) 732-7029

Presentation by Tulare County Farm Bureau to the Governor's Interagency Council on Growth Management on July 19, 1991, at Fresno, California.

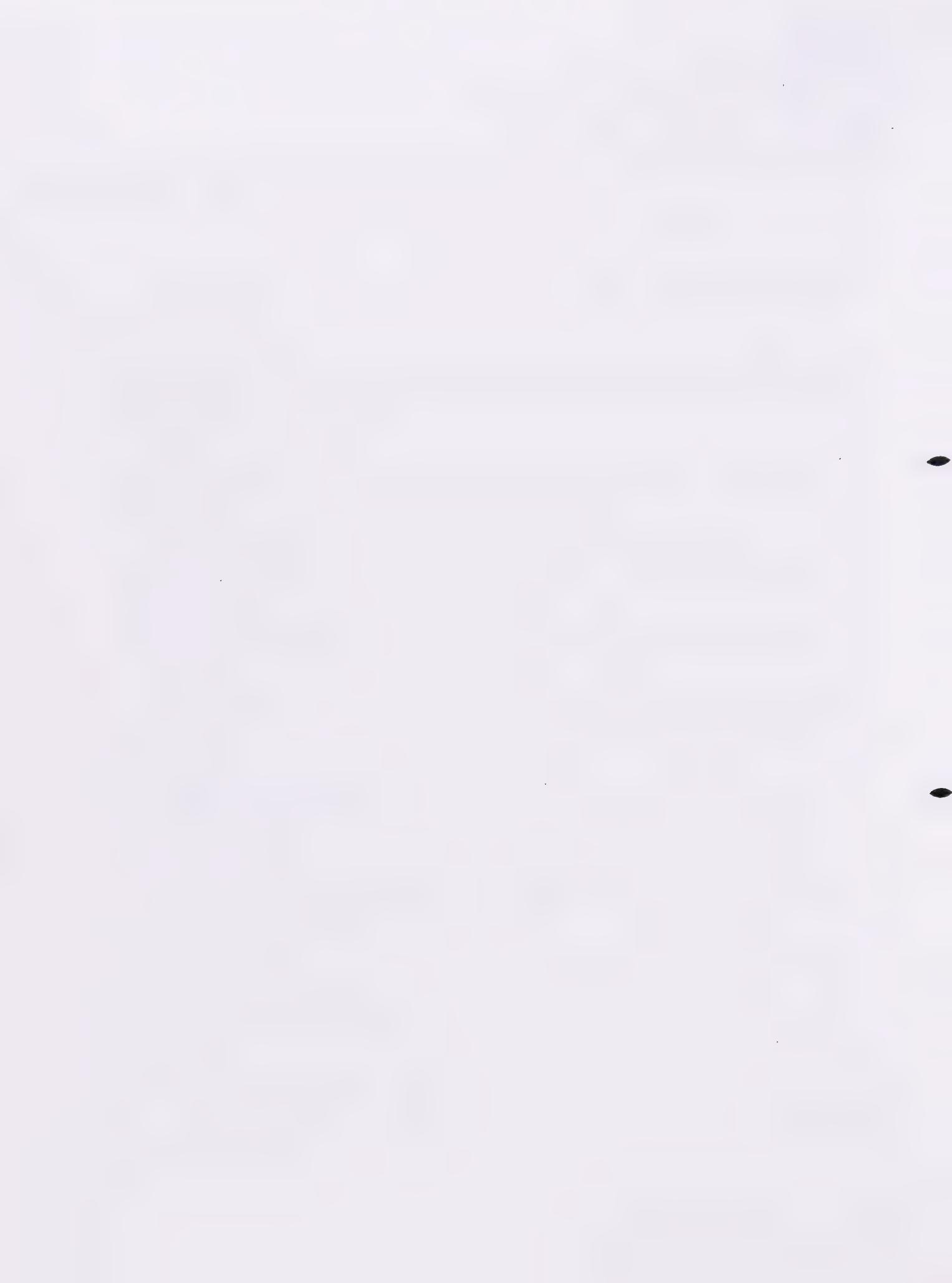
Tulare County Farm Bureau does not oppose development, however, we have great concern that current practices are poorly suited to meeting the needs of both the urban and rural population. If we are to maintain the lifestyle for which living in the San Joaquin Valley is noted, we must move now to address these concerns.

Last fall in an effort to bring all segments of our county together to address projected growth, Tulare County Farm Bureau held a conference entitled "Growth in the 90's - What's Ahead for Tulare County?" At that conference, Edward Blakely, Professor of City and Regional Planning at the University of California at Berkeley, suggested that agriculture must help find solutions to urban problems and that if we don't, people will buy and build on the cheapest land in the state - farmland. A survey conducted at that workshop indicates a growing interest in and support for consideration of regional powers to address what are no longer local but regional concerns. The survey results also indicated support for regional government as long as it doesn't give more power to the state. Although the survey did not represent a large number of people, we feel it is indicative of attitudes within our county.

As you prepare growth management recommendations for the Governor, we would suggest the following for your consideration:

1. Priority must be given to improving air quality, quantities and quality of water, maintaining open land and preserving vigorous agriculture.
2. Infilling of present urban boundaries should be required before those boundaries can be expanded and higher population densities within those boundaries should be required.
3. Lastly, we strongly support the concept of counties having the ability to join together, if they so choose, to form an autonomous regional coalition with powers to establish development policy as opposed to a state agency to mandate and regulate.

We appreciate the efforts of the Governor and people such as yourselves who share our concern about the direction we are going in this state. We reemphasize, land use problems are not "ag problems" but concerns of all citizens of our state and we must all come together to find viable solutions.



TESTIMONY TO THE GOVERNOR'S INTERAGENCY COUNCIL ON GROWTH MANAGEMENT

By Maxwell Norton, Vice President
Merced County Chamber of Commerce
19 July 1991

The loss of intensive farm land in the San Joaquin Valley has profound negative effects on the local economy. Not only are we losing an irreplaceable resource, we also loose all of the employment and economic activity associated with those farms. In Merced County, as well as many other counties in the Central Valley, agriculture is the number one employer.

We are not referring only to those jobs that are on the farm itself. We are concerned about the businesses that sell goods to farmers and those who provide services either at their place of business or come onto the farms to provide that service. A huge amount of employment is associated with the purchasing, transporting, processing and packing of the raw product that comes from the farm. The single largest growth industry in Merced County is food processing. These firms employ large numbers of people and contribute substantially to the local economy and tax base. The reason they located in the SJV is to be close to the raw product that is produced on the regions farm lands.

We can not leave the critical task of preserving farm land entirely to local governments. County and city governments are forced to zone and grow in a manner as to produce the maximum increase in the local tax base. While local policy makers realize the critical need to preserve our agricultural job base, state funding mechanisms have forced local governments to play zoning for dollars. The casualties are farmland, the environment, and any form of coordinated regional planning. State funding mechanisms need to be restructured in such a way where it is in the counties and cities best interest to preserve farm land, other forms of open space, and to coordinate planning

efforts with neighboring entities. If they were able to do that, there would not be any need for forced regional planning as is being proposed.

The largest negative impact of not having coordinated planning is that of millions of people having to commute large distances to their jobs. This is having a devastating effect on our highway system, the environment, the quality of life, and on the communities that must provide housing, schools and other services for these commuters. These costs are all ultimately passed on to the business community in the form of higher fees, higher transportation costs, and higher environmental costs and regulations. Every one wants to have the high tech industrial parks and the tax base that comes with it but no one wants to house and school the people who work there. Workers get forced into commuting from the Central Valley, the valley counties get stuck with the costs and the environmental damage, and the costs are passed onto valley businesses. This is known as the multi-story out house effect.

In areas where the number of jobs exceeds the number of housing units, (which is typical of much of the bay area) communities must be required to zone for an equivalent number of affordable housing units when they zone for additional jobs. We can not continue to allow certain communities to enhance their tax base and force other regions to pay the costs. Not only is it unfair but it is evident that we have exceeded the limits of the transportation systems and the environment.

In conclusion, we believe that regional problems would be addressed with regional solutions but this should be done with a combination of incentives and public financing reforms that will enable county and city governments to make long-term commitments to farm land and open space preservation. We do not support the concept of new superagencies that supersede local control and reduce accountability to the taxpayer. The state must begin taking a leadership role in developing strategic plans for growth in the decades to come. Failure

CALIFORNIA MINING'S ECONOMIC IMPACT

(Based on a 1987 economic study of the greater Southern California region; Shirley C. Anderson, California State University, Northridge)

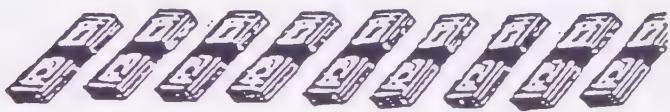
EVERY \$1 MILLION OF CALIFORNIA MINERAL PRODUCTION:



CREATES 15.1 JOBS



= 1 FULL-TIME JOB



PRODUCES \$898,422 IN VALUE ADDED



= \$100,000

(DIRECT EFFECTS ON REGIONAL EMPLOYMENT AND
THE PRODUCTION OF MATERIALS, EQUIPMENT, AND
SERVICES SUPPORTED BY THAT EMPLOYMENT)



CONTRIBUTES \$28,854 IN LOCAL TAXES



= \$10,000



CONTRIBUTES \$47,182 IN STATE TAXES



= \$10,000



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CVRSGA MEMBERSHIP ROSTER
Page #2

ASSOCIATE MEMBERSHIP (cont'd)

Buada Associates
California Screen & Conveyor
Cerutti & Sons Transportation
R. C. Collet Company
Commercial Transfer Incorporated
Deem Shining Tree
Kaiser Cement Company
Langley Hill Quarry
Olive Springs Quarry
Parnum Paving
Shamrock Materials
Syar Industries
Vari Pro Systems
Glen Wilson Trucking



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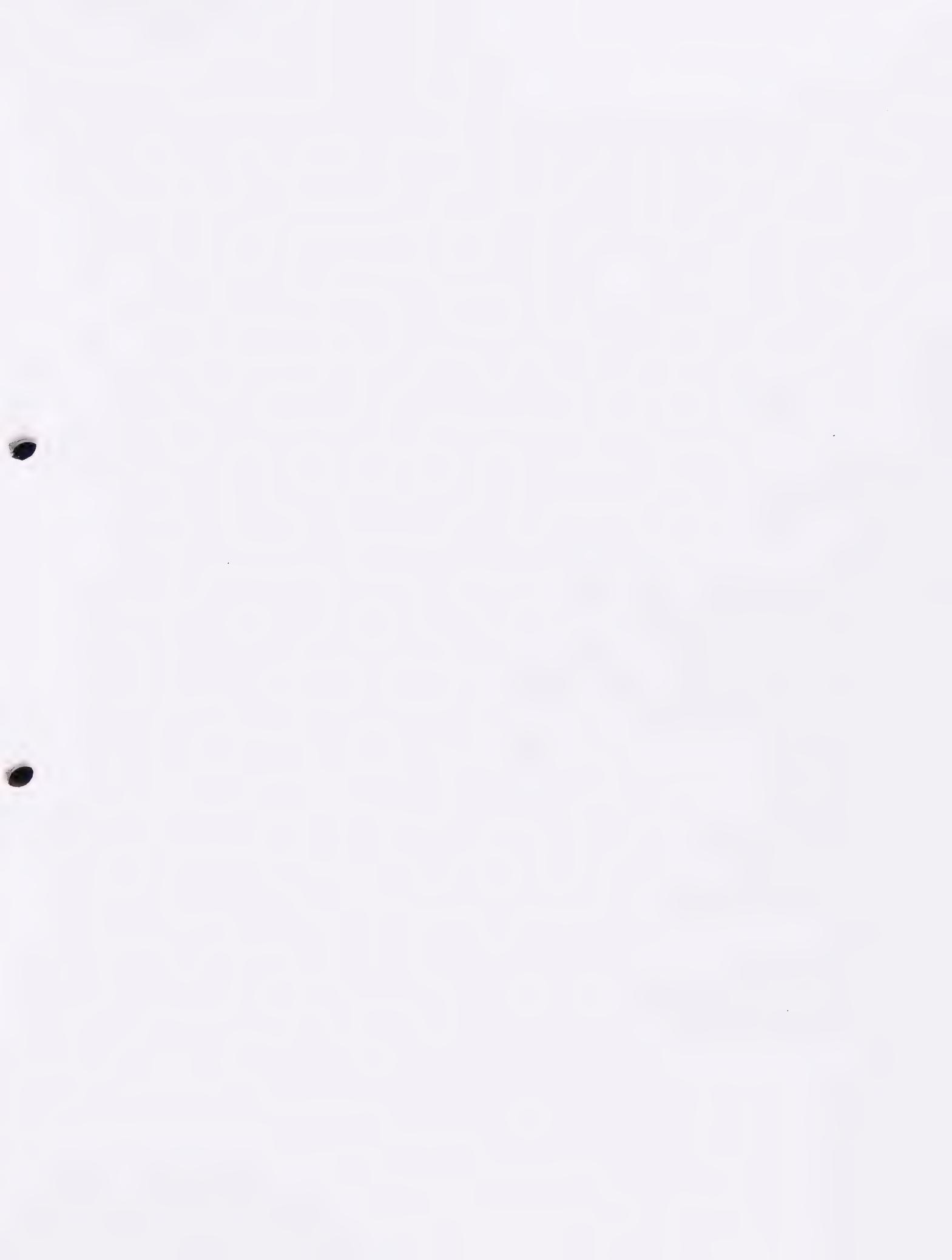
CVRSGA MEMBERSHIP ROSTER

GENERAL MEMBERSHIP

Al's Mini Mix
Artesia Ready Mix
Baldwin Contracting
Blasingame
Brown Sand Incorporated
Builders-Viking Ready Mix
CalMat
Central Valley Concrete
Crookshank Ready Mix
Delano Rock Campany
Edison Sand Company
Granite Construction
Kaweah River Rock
Kern Rock Comapany, Division of Beazer West
Ladd Ready Mix
Los Banos Gravel Group
Frank B. Marks & Son
Ohe's Sand & Gravel
Outback Materials
RMC Lone Star
George Reed Incorporated
Roc-San Gravel Company
M. J. Ruddy & Son Incorporated
San Joaquin Sand & Gravel
7/11 Materials Incorporated
Shafter Ready Mix
Southwest Ready Mix
Stewart & Nuss
Teichert Aggregates
Webster Sand Company
Western Rock Company
Western Stone Products
Claude C. Wood Company

ASSOCIATE MEMBERSHIP

Armadillo Trucking
Walter Baun
Boren Gunite



Dissolution or merging of some agencies in region.

Funding (shared in specified proportions by governments involved).

Absorption or affiliation with selected agencies or districts.

Provisions for coordinated development, regulation, management, protection, or improvement (as may be required) of air quality, water quality (and quantity), regional transportation (inter-city, inter-regional only) solid waste disposal, land use in specific areas anjacent to city boundaries, environmentally sensitive areas or conditions, extended infrastructure, and other elements.

Incentives/disincentives intended to ensure the participation of local governments.

Although these thoughts barely begin the outline of probable directions regional growth management may take. the profile of a highly complex organizing task emerges, together with enormous economic and politial implications. Perhaps the best combination of growth management conditions which demand attention is the area on the north side of the San Joquin River between Freeway 99 and Friant Dam, where at least four community sized developments, a hospital and a favored site for a new University of California are contemplated. This area could be the "Trial Region".

The challenge of organizing for regional growth management is an intriguing one that requires the intense application of many skills from many disciplines. The door will be opened by a willingness to meet the challenges and cooperate.



While not all encompassing, growth management so defined would pursue the following primary goals:

1. Improved decision-making.
2. Balanced regional economy.
3. Protection of the environment.
4. Balanced land use.
- ✓ 5. Reduced number of duplicated or overlapping services and agencies.
6. Lower government costs/reduced taxes.
7. More efficient use of service facilities and infrastructure.

This roughly sketched idea seems to call for an additional outline of the form and composition of a new entity designed and equipped to undertake the formidable tasks of growth and regional involvement.

A "Regional Growth Management Consortium" would result from state enabling legislation providing for a new system of regional resource and service system management. The underlying mechanism would require contracts between city and county governments and the state. Contracts would relate to the mutuality between city, county, and state for funding, responsibilities, performance levels, geographic areas of specified activities, and other considerations. Other elements of the legislation would provide for:

✓ Designation of a specific area of a "trial region" and revisions of the system design and legislation during the trial application.

Designation of specific areas of regions based on currently known or anticipated growth impacts.

City-County-State representation on each Regional Growth Management Consortium by selected councilpersons, supervisors, and representatives (regional) in the state legislature.

COMMENTS ON GROWTH MANAGEMENT

PRESENTED TO THE
GOVERNOR'S INTERAGENCY COUNCIL ON GROWTH MANAGEMENT

BY ROBERT DYER, AIA

FRESNO, CALIFORNIA
JULY 19, 1991

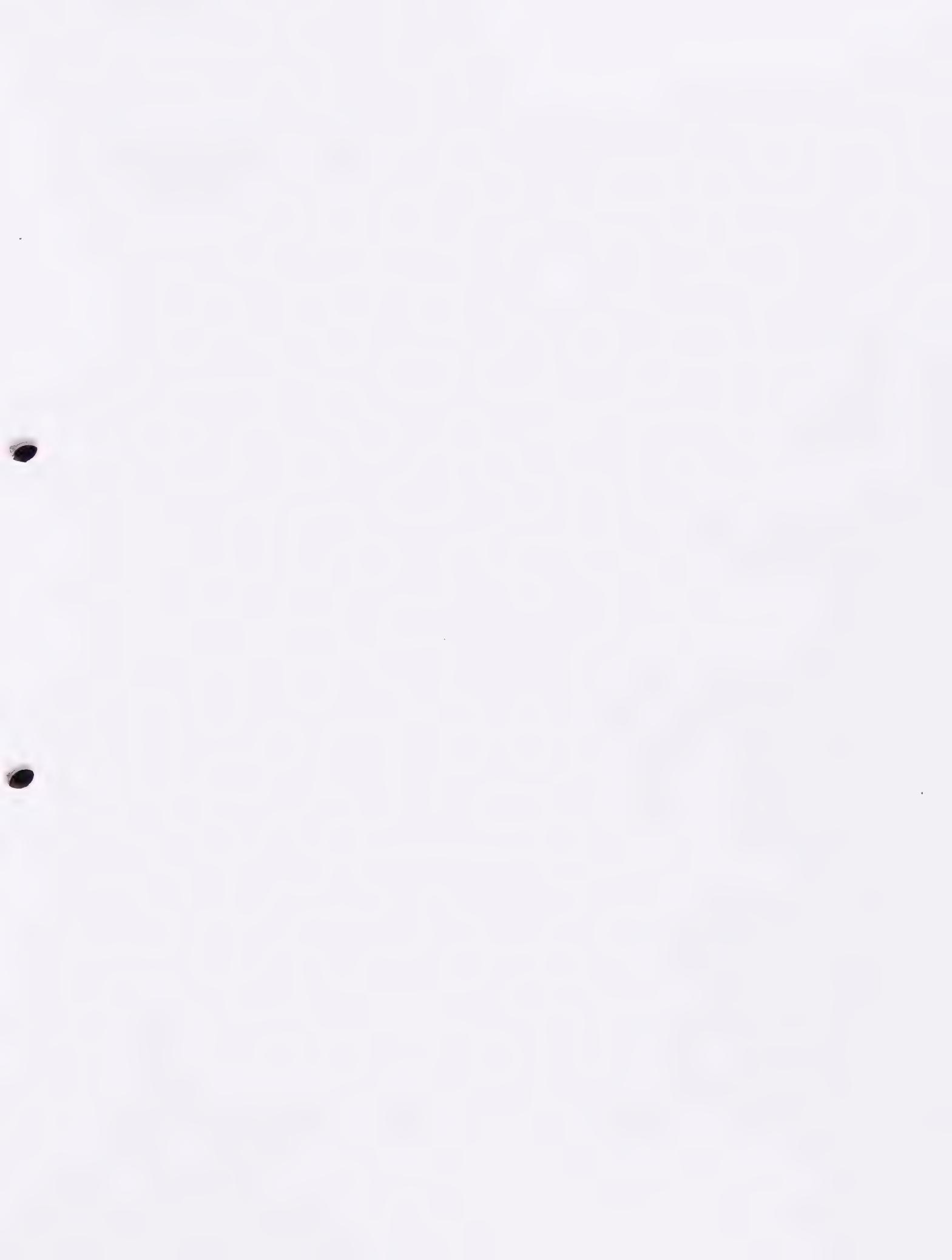
The architects of the San Joaquin Chapter (primarily Fresno and Visalia) welcome the opportunity to be heard by Governor Wilson's Council on Growth Management. We are pleased to support the position of the California Council, American Institute of Architects policy statement: "California Growth Management: A Design Approach" (June 26, 1991).

From Peter Mogensen's overview, the applicability of that policy becomes immediately apparent as one examines the sensitive growth problems here in the heart of the San Joaquin Valley.

In the few moments remaining for this presentation, I will add a few rough ideas about what organizing for growth on a regional scale might involve and the regulatory nature that must accompany management of resources. I speak incidentally as an architect and urban planner with 30 years of experience, in or working with, city governments.

A definition of growth management ranks in first priority among the many issues for which at least consensus must be found. This beginning definition is offered:

K Comprehensive regulation, on a regional scale, of environmental resources and service systems upon which population growth and economic conditions in the region are imposing exceptional demands.



The design profession of the State is ready to design and enhance our communities with creative design solutions offering a quality of life for our rapidly growing population. Only effective State and regional policy along with aggressive local implementation can cause this to happen.

development. Infill is also the key, along with planned, incremental, fringe growth, to a successfully managed urban area with some sort of urban growth boundary. Infill development can be accomplished with minimal cost for new infrastructure. A drive through Valley or Southern California communities unveils extensive undeveloped land areas within our present communities, which in part adds to our urban blight.

Expansion of existing communities

The expansion of existing communities will be important if we are to meet the needs of population growth that California is experiencing. The common image of suburban development as it took place in the 1950's and 60's, and as it still does today in many of the central valleys of California, is not a workable solution to California's growth management problem. Low density suburban sprawl must be contained as much as possible to provide a positive living environment.

It is imperative that the expansion of existing communities be completed in tandem with infill development efforts. Expansion should take place as closely as possible to existing urban areas, eliminating the expensive infrastructure and transportation consequences of "leapfrog" development.

New communities

New communities have been a part of settlement patterns only when there was no convenient settlement area to which to attach, or when a group with different ideas and goals for their community desired independence from existing residents. These two motives for new communities are still valid, but new communities must be a last resort in this time of decreasing availability of land and increasing cost of infrastructure. Specific criteria for new communities must include adequate resources and services, links to other communities with mass transit and highways, an adequate number and variety of employment opportunities for residents and for a healthy tax base and economy.

In each of the development patterns mentioned, future growth must be designed in compact and balanced ways. "Compact development" means development at higher densities that can maintain the ideal of home ownership. Compact development will provide for more efficient use of land, infrastructure, and public and private transportation options. "Balanced development" means that, in all categories of development, a mix of uses, a heavy emphasis on amenities, and efficient services will be encouraged within the confines of a distinct region or community. Balanced development will provide for healthy, vigorous communities, with equally balanced social, recreational, cultural, and economic welfares. Compact, balanced development can potentially create more affordable housing by creating a greater number of and an expanded choice of types of housing units per urban service area.



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Associate
MARK G. HAROLD, AIA
Architect

MARK T. OBA, AIA
Architect

LARRY E. MILLER, PE
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SHARON E. ASHIDA
Electrical Designer

PETER MOGENSEN, AIA
Architect

SCHOENWALD ■ OBA ■ MOGENSEN ■ POHLL ■ MILLER, INC. ARCHITECTS ■ ENGINEERS

TESTIMONY

GOVERNOR'S INTERAGENCY COUNCIL ON GROWTH MANAGEMENT

PETER MOGENSEN, AIA
ROBERT DYER, AIA
JULY 19, 1991

My name is Peter Mogensen, an architect in private practice in Fresno. I am currently a member of the Board of Directors of the California Council, American Institute of Architects and former President of the San Joaquin Chapter, American Institute of Architects. With me today is Robert Dyer, President of the Sequoia section of our chapter representing the Visalia area. We will limit our joint comments to the ten minute limitation assigned us.

Part of my testimony is from CCAIA's policy which is currently in draft form, to be adopted later this year and we will be speaking as individual members with reference to that draft policy.

Although the Central Valley has been thought of as primarily agricultural communities, we feel a large portion of the state's future growth will focus in this area. This population growth is inevitable, it is one reason that California is prosperous and varied, economically and socially. Growth should be managed so as to permanently preserve open space, natural resources, and a balanced, prosperous human environment, as well as to reduce dependence on the automobile through increased public and pedestrian transit options. To manage population growth effectively, urban/suburban sprawl must be eliminated by some sort of urban growth boundaries or strict land use tiering. Balanced and compact development is necessary to create dense enough development to contain urban/suburban sprawl. Balanced and compact development should be encouraged to take place within three development categories in the following order of priority:

Infill

Sensitive infill and expansion of existing communities must be used in tandem to meet most of the complex and diverse future needs of California. Infill development in existing urban areas should be the first option for accommodating new housing, workspace, and retail needs. Infill can provide important enhancements to balance communities, as well as provide for a more compact accommodation of new housing and commercial needs. Infill can include redevelopment of existing uses or new development on vacant land surrounded by



The State Growth Management Plan should provide a better balance of recommended techniques to encourage affordable housing, rather than limit it.

The Building Industry of Tulare and Kings Counties thanks you for this unique opportunity to express our views. We would appreciate the opportunity to provide additional input as the Growth Management Plan develops.

Sincerely,

A handwritten signature in black ink, appearing to read "Raymond A. Gentry". The signature is fluid and cursive, with a large, stylized "R" at the beginning.

Raymond A. Gentry

In Visalia, the General Plan Land Use Element Update -- referred to as the 2020 vision plan -- has been in the process for over three years now. It is still not adopted! Annexations have been almost entirely curtailed during this period, resulting in a doubling of land prices from about \$30,000 per acre to about \$60,000 per acre for bare residentially zoned land. As a result, builders cannot develop affordable housing on the expensive land. In fact, currently, we don't know of one subdivision in the City being developed below \$100,000. New housing in Visalia -- which is all upscale -- is being absorbed at only one-half the rate of demand.

7. Defining Growth Management

State zoning and subdivision laws require cities and counties to consider effects upon the housing needs of the region when enacting ordinances and other actions. Cities and counties are required to balance the housing needs of their residents against the needs for public services and the available fiscal and environmental resources.

These principles are important in establishing a growth management system. However, the programs for implementation described in the 1990 General Plan Guidelines could more appropriately be described as Growth Limiting Techniques, rather than Growth Management Techniques. You be the judge. Ten of the 15 examples given are designed to limit growth. Only one encourages affordable housing.

EXAMPLES OF TECHNIQUES FOR GROWTH MANAGEMENT (As Outlined In The 1990 State General Plan Guidelines)

- Limits on the annual number of development permits.
- Establishment of geographic limits to growth.
- o Annexation policies.
- Environmental performance standards.
- Downzoning.
- Zoning requiring large minimum parcel sizes for open space.
- Exclusion on growth.
- o Transfer of development rights.
- o Public acquisition of open-space lands.
- o Purchase of development rights.
- Locating public improvements to influence growth.
- Scheduling capital expenditures to influence growth.
- + Housing subsidies.
- Development impact fees.
- Preferential assessment of agricultural, timber and other open-space lands.

2. California Environmental Quality Act (C.E.Q.A.)

The Tulare-Kings BIA is very concerned with protection of the environment and in providing environmental solutions. It is in our interest to provide the best unit possible in the best neighborhoods we can develop. We can also see significant adverse environmental impacts occurring in our region if we cannot attain affordable housing.

In its beginning, CEQA served an important function in providing public awareness to environmental issues. However, nowadays we see the process as a major contributor to high housing costs. Radical political factions and no-growth advocates are using the CEQA process to block development. Decision-makers have also used the process as a way of delaying or side-stepping decisions on tough issues. An EIR for a housing project will typically cost in excess of \$50,000 plus time delays which often exceed a year. The bottom line is increased housing costs.

We think cities and counties should prepare master EIR's for their jurisdictions. Subsequent environmental documentation should only be required as appropriate only for certain projects with obviously unique potential for problems. Where more information is necessary, a focused report should be all that is necessary for any project, addressing only the potentially significant adverse environmental issues. The entire process could be shortened significantly by eliminating redundancy and platitudes.

We also think that it should be unlawful for "no-growth" advocates or radical groups to use CEQA in an obvious and blatant manner to stop projects which have survived all other local governmental requirements and scrutiny. In other words, as one local City official stated, "putting a stop to the illegitimate use of legitimate legislation".

3. The General Plan Process

Reasonable time limits should be established for adoption of General Plans and their Elements. We recognize the importance of having the General Plan, but the amendment process is becoming too cumbersome and too costly. We need some mechanism to assure compliance with the established timeframe.

1. Developer Fees

Until very recently, both the builders and the cities and counties seemed to be able to work relatively well in meeting the State's housing goals -- even in the post proposition 13 era. However, it now seems that something has happened which has made it very difficult for developers to do their job. Government is now placing the entire burden of providing affordable housing on the shoulders of builders. The responsibility for financing city municipal services, facilities and staff activities is being shifted to new home buyers and new businesses -- the very people that they are trying to attract. Government's attitude now seems to be - -this is the deal, take it or leave it.!

In Tulare and Kings Counties almost every City is adopting, or considering the adoption, of "Systems Development Fees" which are to be paid by builders. These fees are intended to pay for transportation systems, new libraries, new city offices, water systems, sanitary sewer systems, and storm drain systems -- not just the extensions, but basic plant development as well. In some cases, the fees are intended to pay for new police car tires, library books and departmental stationary. On top of that these new fees are to be reviewed (increased) annually.

In several Tulare County Cities, these additional fees exceed \$25,000 per acre. That's about what it costs to purchase an acre of available zoned land in most of the towns in our area --excluding Visalia of course. Land costs equate to about 25% of the total cost of a new home. The problem is: how can we build affordable housing -- under \$100,000 -- when land prices are rising every day and cities and counties are throwing an additional \$25,000 per acre at us? This doesn't even include other fees proposed by regional agencies for air quality and habitat conservation.

We think these fees are getting out of hand! The general population should shoulder the lion's share of the costs for basic community services and facilities and the operation and maintenance of existing service. Residents in new developments should pay for the costs of extending infrastructure to the new development.

RAYMOND A. GENTRY & ASSOCIATES
URBAN AND REGIONAL PLANNING

313 W OAK STREET
VISALIA, CALIFORNIA 93291

TELEPHONE (209) 733-5330 (209) 732-2882

July 19, 1991

Governor's Interagency Council on Growth Management
State of California
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, California 95814

Regarding: Testimony at Growth Management Council Hearing. Fresno,
July 19, 1991.

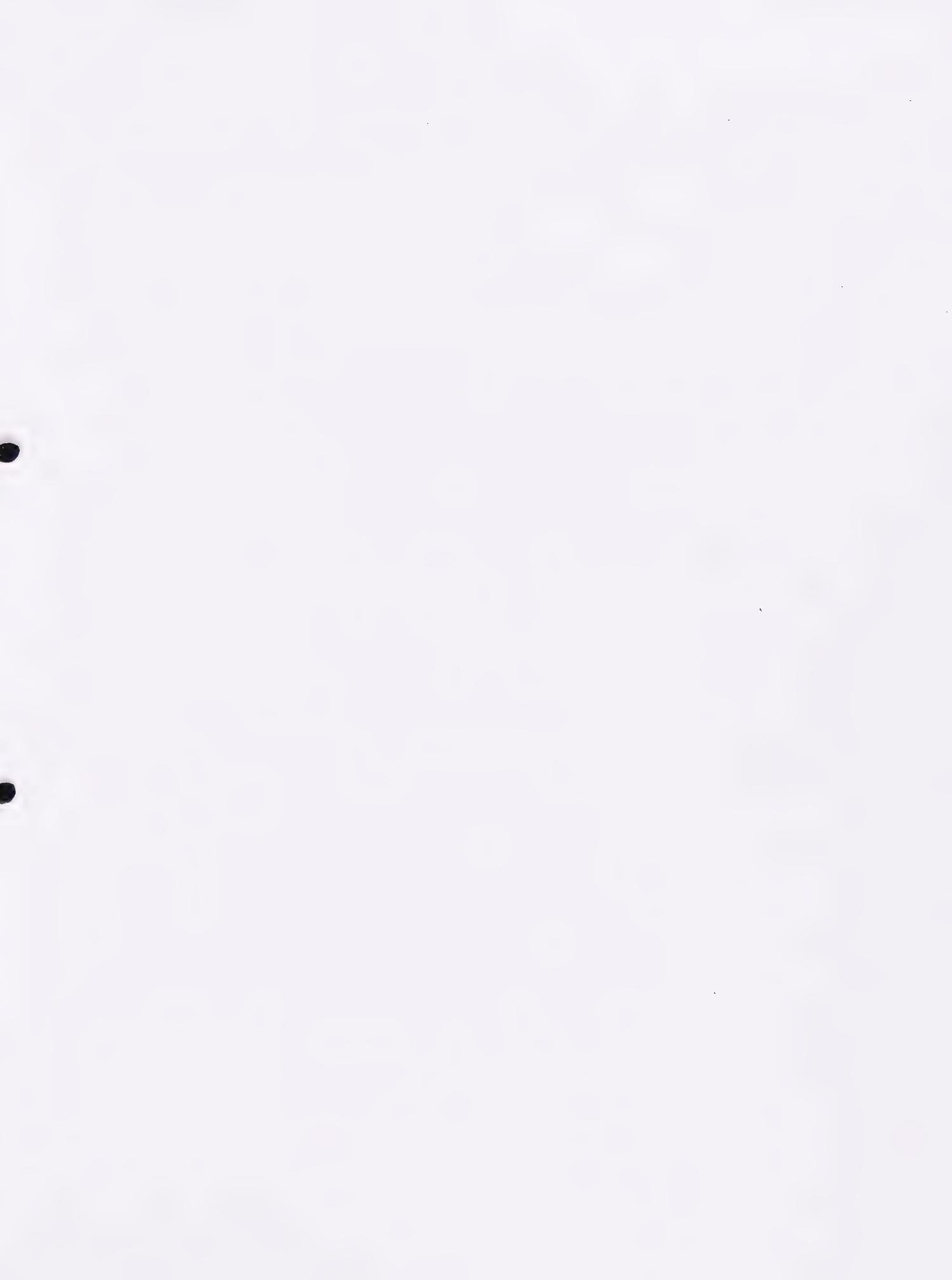
Thank you for this opportunity to provide testimony and input into the Governor's growth management planning process. I am a Visalia-based Planning Consultant specializing in land use planning and market research for development projects. I am also on the Board of Directors for the Building Industry Association of Tulare and Kings Counties.

I have been asked to speak to you today on behalf of the Tulare-Kings BIA. My comments will be limited to basic areas of concern involving "affordable housing". Bob Keenan will also provide input later on behalf of our organization. We will try not to be redundant.

Background

The state of California professes a strong desire to provide safe, decent, and affordable housing for all of its residents. All cities and counties are required to have a Housing Element of their General Plans to achieve this. We see this as a good, attainable goal.

The job of providing safe, decent and affordable housing for our population is basically the job of private sector builders. We are happy to do this and our people can do it better than anybody else. The job of city and county agencies is to accomodate affordable housing by providing adequate zoning and by providing the highest possible level of municipal services to the development.



to do so will result in an environment where no one will want to live
nor do business in.

NON-FUEL MINERAL PRODUCTION

DOLLAR VALUE TRENDS

YEAR	VALUE ¹
1980	\$ 1,970,000,000
1982	\$ 1,600,000,000
1984	\$ 2,003,445,000
1986	\$ 2,269,449,000
1988	\$ 2,551,285,000
1989	\$ 2,854,116,000
1990	NOT AVAILABLE

1. Source: US Bureau of Mines

ASSUMPTIONS:

- A. Includes all minerals recovered in the state.
- B. Represents the lowest incremental market value by unit
- C. Does not include public sector production values.

1989 NONFUEL MINERAL PRODUCTION
IN CALIFORNIA
(Value in Thousands of Dollars)

*State total 1989: \$2,854,116 (est.)
(Value in thousands)*

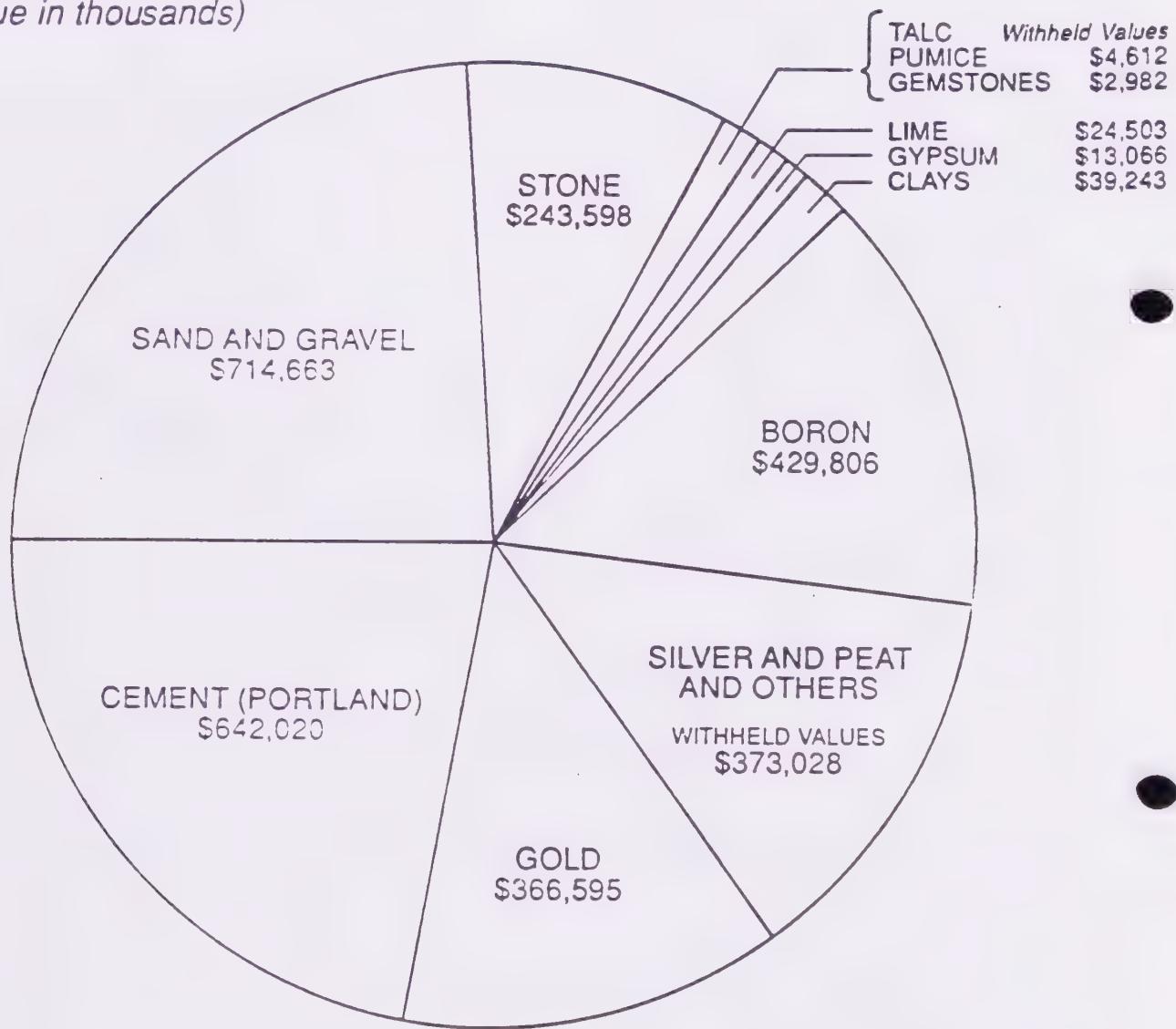
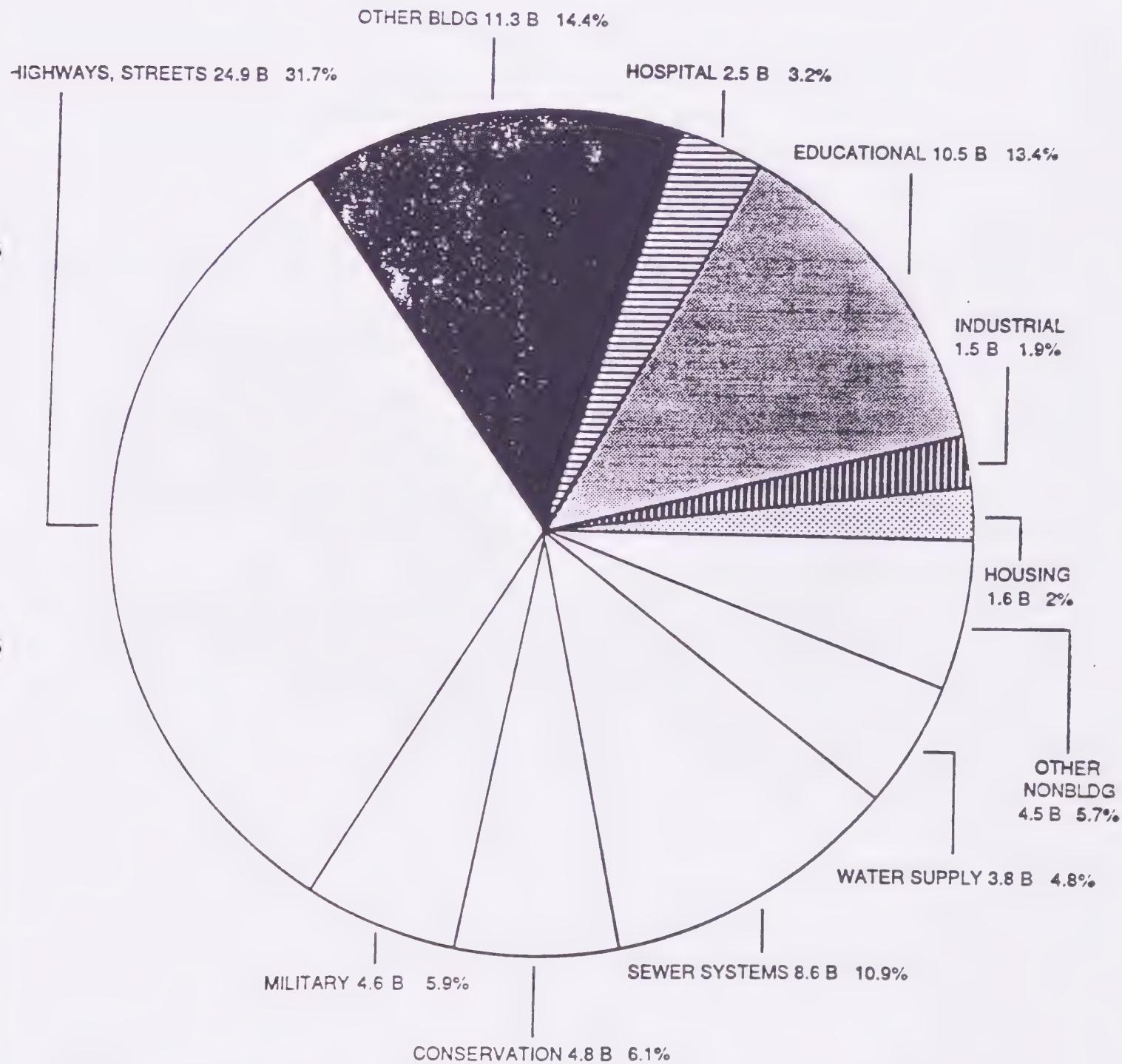


Figure 2. Combined value of asbestos, barite, calcium chloride, copper, diatomite, feldspar, iron ore, magnesium compounds, molybdenum, perlite, potassium salts, rare-earth metal concentrates, salt, sodium carbonate, sodium sulphate, tungsten ore and concentrates, wollastonite, and withheld values.

Source: U.S. Bureau of Mines Yearbook 1989, Volume II.

PUBLIC CONSTRUCTION VOLUME

PUBLIC CONSTRUCTION: \$78.6 BILLION ANNUAL RATE
 (Public Building Construction - \$27.4 Billion - 34.9%)
 (Public Nonbuilding Construction - \$51.2 Billion - 65.1%)



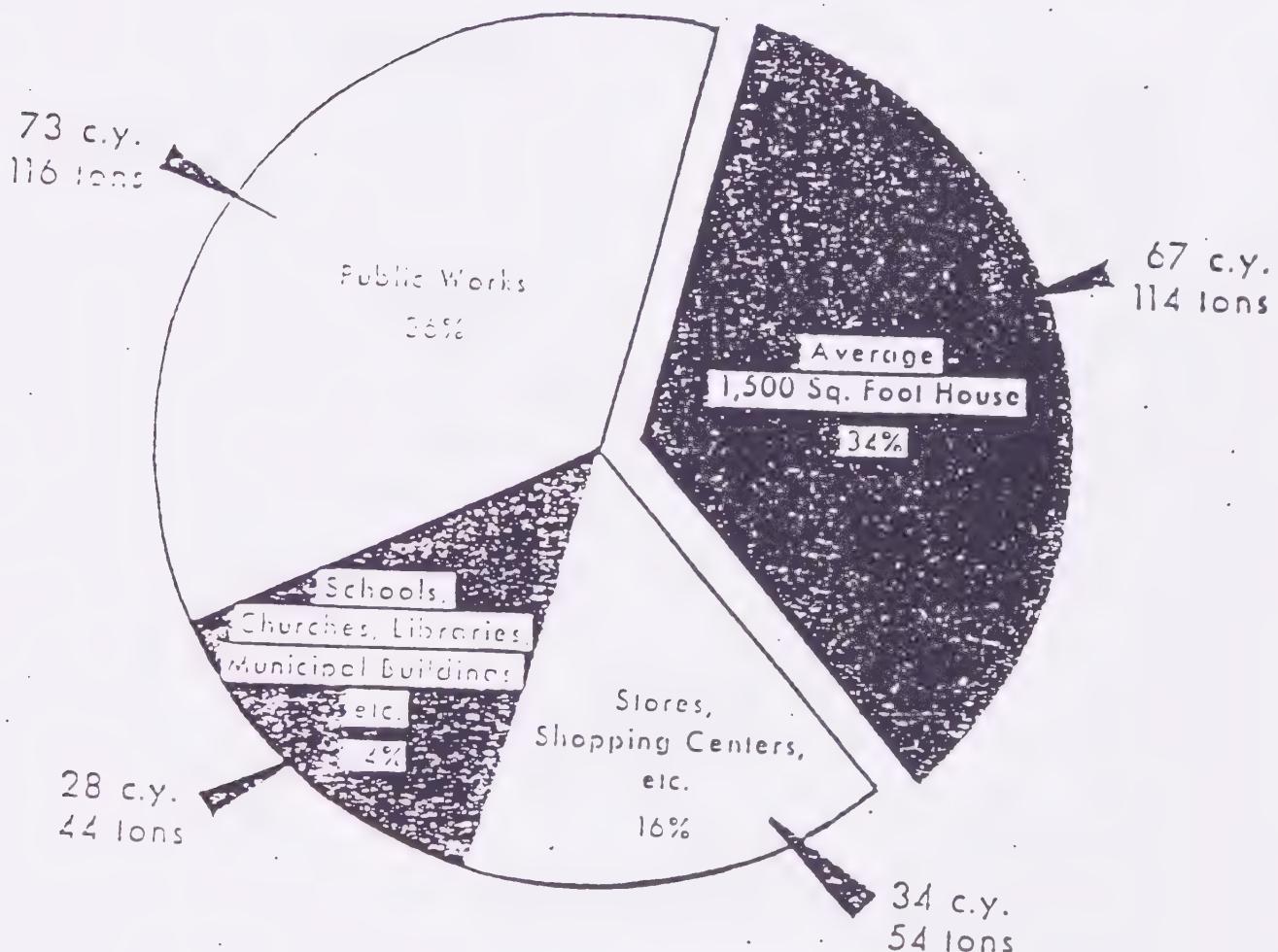
Construction quality sand and gravel, by itself or combined to make concrete and asphalt, provide specific building materials for:

Highways, rural roads, city streets, bridges, overcrossings and interchanges; airport runways and taxiways; sidewalks, curbs, gutters and parking lots; foundations for educational, residential, commercial and industrial buildings; gunite for pools and spas; masonry, stucco, mortar and plaster; materials for septic, sewage, filtration and water systems; tiles and base for agricultural drainage systems; dam construction, spillways, concrete lined aqueducts, canals and irrigation ditches; concrete pipe to move water; impervious materials for waste disposal sites and cogeneration facilities; concrete tilt-up buildings, boat launches, bank stabilization; and used as a compacted base upon which most roads and structures are built.

Industrial sand and other deposits extracted by industry provide the following: Cement and gypsum; materials for sandblasting, abrasives, glass making, light bulbs, eye glasses and other optics; television tubes, mirrors, pottery, china and porcelain; surface lining for steel and iron foundries, and even the heat resistant tiles used on the space shuttles.

There is no alternative or substitute for sand and gravel in any of these products.

Construction Aggregate Expenditures
Related to One Average 1,500 Sq. Foot House



TOTALS
Concrete - 202 Cubic Yards
Sand and Gravel - 320 Tons

Aggregates Required per Miles of Highway*	
Description	Tons per Miles
6 Lane Interstate Highway	113.505 tons
4 Lane Interstate Highway with bridges and interchanges	91.895 tons
4 Lane Interstate Highway with no bridges or interchanges	70.265 tons
2 Lane Primary Highway with bridges and interchanges	25.944 tons
2 Lane Primary Highway with no bridges and interchanges	13.512 tons
2 Lane Municipal Road	13.512 tons
2 Lane County Road	10.815 tons

*MINERALS AND ROCKS, Fourth Edition, published in 1975 by the American Institute of Mining, Metallurgical and Petroleum Engineers, Inc.

**CALIFORNIA SAND AND GRAVEL
CONSUMPTION TRENDS**

<u>YEAR</u>	<u>PRODUCTION¹</u>	<u>POPULATION²</u>	<u>PER CAPITA</u>
1980	112,794,896	23,668,049	4.77
1982	81,146,783	24,786,000	3.27
1984	102,419,611	25,779,900	3.97
1986	128,406,000	27,001,000	4.76
1987	141,600,000	27,716,900	5.11
1988	141,946,000	28,393,100	5.00
1989	138,300,000	29,142,000	4.75
1990	NOT AVAILABLE	29,976,000	
2,000 ³	188,188,046	39,618,536	

1. Source: US Bureau of Mines
2. Department of Finance Reports 84 E-2, 87 E-2
91 E-2
3. Projection Method of Calculation: 1989 per capita consumption X projected population.

ASSUMPTIONS

- A. Does not include private sector crushed stone production.
- B. Does not include public sector sand, gravel, and crushed stone.

MINERAL CONSUMPTION

Each American requires 20 tons of freshly mined non-fuel minerals each year. At this rate of consumption, a baby born in 1991 will require during his or her lifetime:

- *1,238,101 pounds of sand and gravel to make concrete for building homes, schools, offices, factories, bridges and roads.
- *32,700 pounds of iron to make house appliances and kitchen utensils, cars, ships and buildings.
- *28,213 pounds of salt for making plastic products, detergents, water softeners and for preparing foods.
- *26,550 pounds of clay for making bricks, paper paint, glass, and pottery.
- *3,593 pounds of aluminum for beverage cans, house siding, aluminum foil and as an alloy to make pipes, steam irons, motors, cookware, ladders, furniture, aircraft and barbed wire.
- *1,500 pounds of copper primarily used in electric motors, generators, communications equipment and in electric wiring.
- *795 pounds of lead primarily used for car batteries, electronic components and solder.
- *757 pounds of zinc for protective coatings on steel, for use in chemical compounds to make rubber and paint and as an alloy with copper to make brass.

SOURCE: ESTIMATED MINERAL CONSUMPTION FOR EACH AMERICAN BORN IN 1991. Adapted from a U.S. Bureau of Mines news release. CALIFORNIA GEOLOGY

MINERAL RESOURCES ARE
FINITE & NON-RENEWABLE

Sand and gravel used in construction generally were developed in the Cenozoic Era and were deposited 11 million years ago.

Geologic Time Scale

ERAS	PERIODS, EPOCHS	TIME, IN MILLION YEARS	SOME GREAT EVENTS IN CALIFORNIA	LIFE ON THE EARTH
Cenozoic	Quaternary Recent or Holocene	0.01	Continued faulting and mountain building	
	Pleistocene	3	Principal building of Coast and Transverse Ranges	Great land mammals; oldest man
	Tertiary Pliocene	11	Local movements in Coast and Transverse Ranges; first movements on San Andreas fault	
	Miocene	25		First apes
	Oligocene	40		
	Eocene	60	Widespread coastal seas	First placental mammals
	Paleocene	65		
Mesozoic	Cretaceous	136	Building of the Sierra Nevada, Klamath, and Peninsular Ranges	Extinction of 'dinosaurs'
	Jurassic	190	Shallow seas	Age of dinosaurs
	Triassic	225		First dinosaurs
Paleozoic				Rise of reptiles
	Permian	280	Volcanism and mountain build- ing (extent un- known)	
	Pennsylvanian	335		First reptiles
	Mississippian	345	Probably shallow seas over much of California, Cambrian to Permian	First land vertebrates
	Devonian	395		Fishes abundant
	Silurian	430		
	Ordovician	500		Trilobites dominant
Precambrian	Cambrrian	570		First abundant fossils
	Late	1800	Uplift Mountain building in southern California	Organic tubes in marine limestone
	Early	3800	Oldest rocks and mountains on earth	Oldest fossils (algae?) First life (?)
Crust of the earth solidified about 4,000 million years ago		4500	Origin of the earth	

FREWAY 41 EXTENSION
TRANSPORTATION COST IMPACTS
SAN JOAQUIN RIVER vs. ALTERNATIVE RESOURCE SITES¹

DESCRIPTION: Extend Freeway 41 from 0.2 miles south of Bullard Avenue to 0.6 miles north of Audbon Drive

COMPLETION TIME: 400 Working Days

CALTRANS BUDGET: \$ 28,000,000

<u>SAND AND GRAVEL MATERIALS REQUIRED:</u>	<u>San Joaquin 11 Miles \$1.55/ton</u>	<u>King River 18 Miles \$2.30/ton</u>	<u>Kaweah River & Coalinga 59 Miles \$5.88/ton</u>
55,500 tons Base Rock	\$ 86,025	\$ 127,650	\$ 326,340
21,053 tons Permeable Base Rock	\$ 32,632	\$ 48,422	\$ 123,792
61,000 tons Asphalt (57,950 tons)	\$ 89,823	\$ 133,285	\$ 340,379
23,585 Yards Concrete (37,736 tons)	\$ 58,491	\$ 145,284 ⁴	\$ 280,375
19,449 Yards Structural Concrete (31,119 tons)	\$ 48,234	\$ 119,808 ⁴	\$ 231,214 ³
1,146,000 tons Borrow Material (Fill)	\$1,776,300	\$2,635,800	\$ 6,738,480
210 tons Sand Backfill	\$ 326	\$ 483	\$ 1,235
5,438 tons Structural Backfill	\$ 8,289	\$ 12,300	\$ 31,446
 <u>TRANSPORTATION COSTS COMPARISON</u>	 <u>\$2,100,120</u>	 <u>\$3,223,032</u>	 <u>\$ 8,073,632</u>

TRANSPORTATION COST SAVINGS:

San Joaquin River vs. Kings River.....\$ 1,122,912
 San Joaquin River vs. Kaweah River/Coalinga.....\$ 5,973,512

1. Source: Public Utilities Commission Minimum Tariff as of 11/84
2. Assumes the permitted sites at these locations are capable of producir the quantities required and delivery within the job completion date time limitations
3. Ready mixed concrete cannot be transported these distances. Figu represent the combined transportation cost from resource site to manufacure at SJ River and then to jobsite.
4. Assumes transportation of resource to manufacture at SJ River and then to jobsite.

EFFECTS OF TRANSPORTATION ON CONSTRUCTION

STANISLAUS COUNTY

HIGHWAY 99 WIDENING
TRANSPORTATION COST IMPACTS
SAN JOAQUIN RIVER VS. ALTERNATIVE RESOURCE SITES 1

DESCRIPTION: Widen to 6 lanes in and near Fresno from 0.1 mile South of El Dorado Street overcrossing to 0.7 mile North of Ashlan

COMPLETION TIME: 190 working days

CALTRANS BUDGET: \$6,486,000

<u>Sand & Gravel Minerals Required:</u>	<u>San Joaquin 11 Miles \$1.55/ton</u>	<u>Kings River² 18 Miles \$ 2.30/ton</u>	<u>Kaweah River & Coalinga² 59 Miles \$ 5.88/ton</u>
299 Yards Backfill (449 tons)	\$ 696	\$ 1,033	\$ 2,640
909 Yard Base Rock (1,364 tons)	\$ 2,114	\$ 3,137	\$ 8,020
20,205 Yard Concrete Pavement (32,328 tons)	\$ 50,108	\$ 74,354 ⁴	\$190,089 ³
1,421 Yards Structural Concrete (2,274 tons)	\$ 3,525	\$ 5,230 ⁴	\$ 13,371 ³
24,850 Tons Asphaltic Concrete (23,601 tons)	\$ 36,582	\$ 54,282	\$138,774
<u>TRANSPORTATION COST COMPARISONS</u>	<u>\$ 93,025</u>	<u>\$ 138.036</u>	<u>\$352,894</u>

TRANSPORTATION COST SAVINGS:

San Joaquin River vs. Kings River.....\$ 45,000
 San Joaquin River vs. Kaweah River/Coalinga.....\$ 259,869

FOOTNOTES:

1. Source: Public Utilities Commission Minimum Tariff as of 11/84
2. Assumes the permitted sites at these locations are capable of producing the quantities required and delivery within the job completion date time limitations.
3. Ready mixed concrete cannot be transported these distances. Figures represent the combined transportation cost from resource site to manufacture at SJ River and then to jobsite.
4. Assume Transportation of resource to manufacture at SJ River and then to jobsite.

ALTERNATIVE USES/RECLAMATION

HABITAT: Our industry is responsible for creating 35% of the wetland and waterfowl habitat existing off channel of the San Joaquin River in Fresno/Madera Counties. Two companies received statewide recognition for their engineered wetland designs in Merced County. Wetlands created by this industry might be useful and desirable for mitigation banking as proposed in several Senate and Assembly Bills.

FISHERIES: The state owned fishery just below Friant Dam in Fresno County was a former source of sand and gravel used to construct the dam.

RECREATION: In Manteca a former site has been developed as a multi-purpose facility housing an amphitheater for concerts, water slides, fishing lakes, recreational vehicle park and conference center. In Pleasanton, a former site was donated to the state as a park. In 1988, it was the only profit-generating state park. Visible from Highway 101 in the San Jose area, fishing ponds were created.

AGRICULTURE: In San Joaquin, Stanislaus, Sacramento and Ventura Counties, lands have been created for grazing, row crops and tree crops. Others have been developed for aquaculture purposes. Although not considered an agriculture use, wetlands are compatible with agriculture and can actually reverse some of the less desirable constituents of drainage waters.

TOPOGRAPHIC CONSISTENCY: In some areas, mountains of dredge tailings were left behind during late 1800 and early 1900 gold recovery. Resource recovery can return these areas to surrounding grade leaving an opportunity for yet another sequential land use.

RESIDENTIAL: Concurrently with resource recovery activities, Larkspur Landing Company has constructed a residential development and yacht harbor. This type of alternative use is particularly desirable in areas where the land values are high and has also occurred in Southern California.

INDUSTRIAL/COMMERCIAL: In the Cities of Tracy and Pleasanton, depressed industrial and commercial parks were developed.

LANDFILLS: In Calaveras County, an asbestos only land fill was created servicing the statewide need for disposal. In other areas, inert materials are deposited in these depressed areas.

FLOOD CONTROL: In order to control flood waters, some agencies utilize the depressed areas for flood waters. In addition, certain jurisdictions encourage our industry to clear flood control basins serving two purposes, to maintain the storage capabilities and to recover mineral resources.

WATER STORAGE/RECHARGE: Near the City of Niles, the Alameda County Water District utilizes 5 former sand and gravel sites for water diversion, recharge basins and well points. Near Pleasanton, Alameda County Water District worked with the industry to utilize 1,400 acres of sand and gravel locations to develop a "chain of Lakes" which will be used as water storage and recharge.

UNIQUE ALTERNATIVES: In Great Britain, their Olympic Training facility for rowing was a former resource site. In Madera County, a quarterhorse ranch was developed and is the desired location for many private and civic functions because it is aesthetically pleasing. A football stadium was developed in Southern California.

Progress of Classification-Designation Program

Index map of California, showing location and status of mineral land classification study areas being classified and/or designated in the SMARA Program as of June 30, 1990.

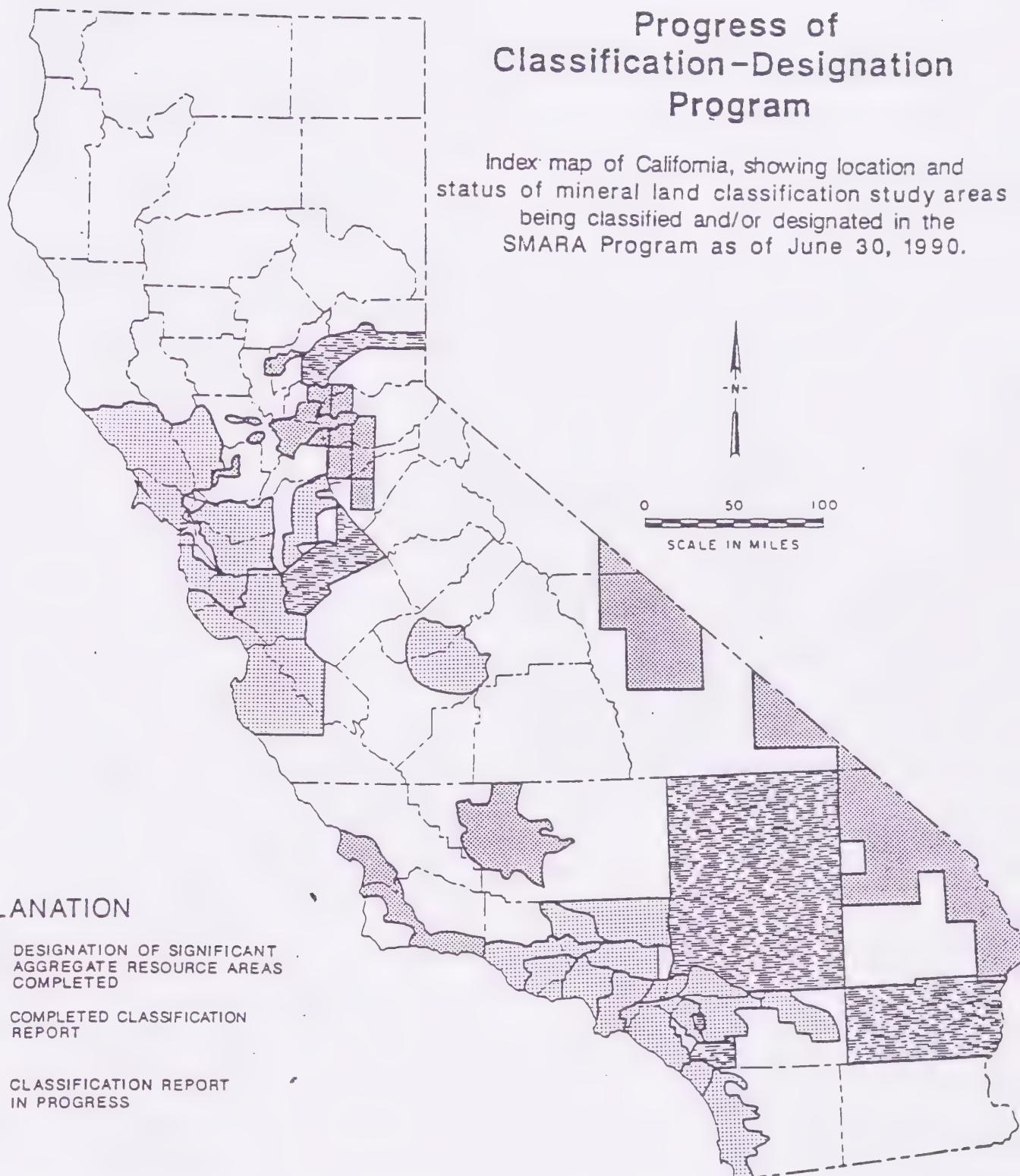


Figure 1. Map of California Depicting Progress of the Classification-Designation Program.

Regulatory Agencies

Federal Level:

- Mine Safety and Health Administration (MSHA)
- Occupational Safety and Health Administration (OSHA)
- Fish and Wildlife Service
- Forestry Service
- Bureau of Land Management (BLM)
- Department of Transportation
- Department of Labor
- Environmental Protection Agency
- Soil Conservation Agency
- Department of Agriculture
- Army Corps of Engineers
- Bureau of Reclamation
- Interstate Commerce Commission

Regulatory Agencies

State Level:

Air Resources Control Board
Water Resources Control Board
Reclamation Board
Department of Fish and Game
Department of Agriculture
Measurement Standards Division
Weights and Measures
Coastal Commissions
Department of Conservation
Division of Mines and Geology
Mining and Geology Board
Surface Mining and Reclamation Act (SMARA)
Department of Labor
Department of Health Services (DOHS)
Board of Equalization
Fair Employment and Housing Department
State Lands Commission
Department of Forestry
Franchise Tax Board
Health and Welfare Agency
Highway Patrol
Department of Industrial Relations
Department of Motor Vehicles (DMV)
Department of Parks and Recreation
Public Utilities Commission (PUC)
Resources Agency
CalTrans
Plant Certification
Plant Safety Inspection
Materials Specifications
Office of Planning and Research (OPR)
Office of Water and Power Resources
Secretary of State
Uniform Commercial Code (UCC)
Waste Management Board
California Occupational Safety and Health Administration

Regulatory Agencies

Regional Level:

- Irrigation Districts
- Flood Control Agencies
- Fire Districts
- Assessor's Office
- Transportation Advisory Boards
- Regional Water Quality Boards
- Regional Air Pollution Boards
- Mosquito Abatement Department
- Water Works Districts
- Conservation Districts
- Farm Bureau

City and County Level:

- Fire Protection Ordinances
- Noise Ordinances
- Business Licensing
- Building and Safety Department
 - Building permits
 - Electrical permits
 - Septic tank permits
 - Plumbing permits
 - Grading permits
 - Pressure vessel inspections
 - Sewer permits
 - Storm drainage permits
 - Underground fuel storage permits
- Public Works Department
 - Environmental review committee
 - Geology and soils review
 - Engineering review
 - Material specifications
- Planning Department
 - Zoning and land use
- Local Agency Formation Commission (LAFCO)
- Environmental Health Department

Quasi-Regulators:

- Wildlife Society
- Planning and Conservation League
- Friends of the River Association
- Audubon Society
- Sierra Club
- Wildlife Conservation Board
- Friends of the Earth
- Wildlife Rapture Association
- League of Women Voters
- Association of University Women
- Newspapers/Media

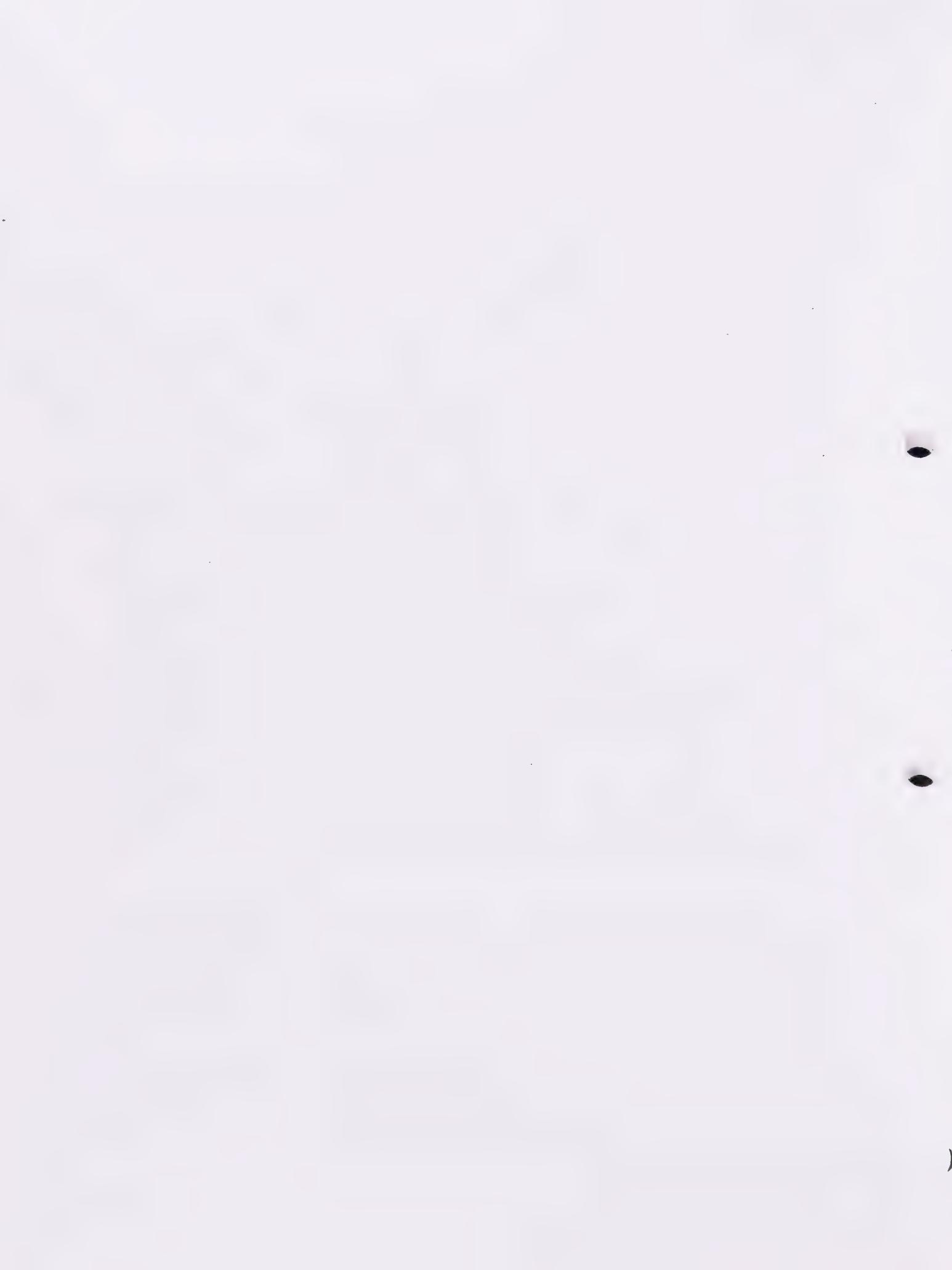
BIOGRAPHY OF
LINDA A. FALASCO

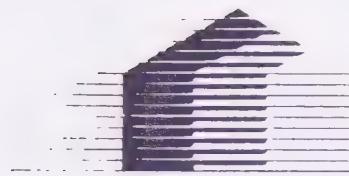
Linda A. Falasco is a "Native Californian" and has lived in the great San Joaquin Valley for most of her life. She has grown up in the construction aggregates industry working in her family's business. Employed on a full time basis since 1976 at LOS BANOS GRAVEL CO. INC. her duties included materials dispatch, load weight certification, accounting, secretarial and administration. Her present activities are focused on regulatory compliance, land use and permitting issues.

In 1981, Linda was elected President of CENTRAL VALLEY ROCK, SAND & GRAVEL ASSOCIATION (CVRSGA) which is a non-profit trade association serving the aggregate, ready mixed concrete and asphaltic concrete members primarily in the San Joaquin Valley. CVRSGA efforts have historically been geared toward local issues with increasing emphasis on regional regulation and state legislative actions affecting the industry. CVRSGA created and managed an industry pool for quantification of air toxic emissions from asphaltic concrete facilities. This pool functioned in 29 air districts throughout the state.

Linda was appointed by the Merced County Board of Supervisors as an industry representative to serve on the Citizens Advisory Committee created by the San Joaquin Unified Air Pollution Control District.

She is a graduate of Cabrillo College and obtained National Paralegal Certification from the University of San Diego in 1979 specializing in Corporations and Real Estate.





APARTMENT ASSOCIATION OF GREATER FRESNO

GROWTH MANAGEMENT AND THE RENTAL HOUSING INDUSTRY

The Apartment Association of Greater Fresno is a trade association representing the rental owners and rental managers in the San Joaquin Valley. We are affiliated with the California Apartment Association which represents the rental housing industry statewide. We see population increases affecting the rental housing industry in a number of ways, a few of which are as set as follows:

1. Governmental Restrictions. The impact of increased population growth on the San Joaquin Valley and in particularly the Fresno Metropolitan Area will first be seen in the need for construction of additional multi-family and single-family rentals. Population reports have indicated that the Fresno Metropolitan Area will double in size over the next twenty (20) years. Experience in large metropolitan areas shows us that as vacancies decrease due to a lack of building, the demand for housing increases and thus we see the imposition of governmental controls in both rent control and further difficulties and restrictions in terminating tenancies. We have further seen that these restrictions depress the value of the rentals in existence and further discourage further construction of multi-family housing. Growth Management must encourage construction of housing in all areas of the community.

2. Financial Burdens Placed on the Rental Industry. It goes without saying that an increase in population puts a strain on the municipal services provided



in the community. As recently seen in Fresno, there are efforts to create assessment districts to finance some of these municipal services and there are efforts being taken by the municipalities themselves to set up a schedule of fees for services supposedly provided to the community. We have seen previously communities imposing inspection fees and miscellaneous charges imposed against the rental industry to fund municipal services and to replenish the public budget. The rental industry, in an effort to maintain low rents, objects to this imposition on the rental industry as a tax collector for the community.

Recognizing that the increased services and cost attendant thereto exceed the monies derived from the tax base for the communities, there must be some fiscal management to insure that when additional funds are needed, it is not the rental industry that is always looked to to provide financing. Where this has normally manifested itself is in fees that are normally charged to a rental owner based on the number of units that the rental owner has. These fees are normally designated as inspection fees or miscellaneous charges but in the past they have been looked at solely for the purpose of increased revenue. In order to minimize rent increases, there needs to be some method of equitable distribution of taxes for the community and the rental owner should not be the tax collector.

It is easy when the city wants to increase revenues to automatically tell the rental owner that they will have to pay a certain amount per unit to pay for the expenses for municipal services and assume the rental owner will simply be able to pass that on to the tenants. This is not always the case and furthermore as these

expenses get greater, such impositions by the communities constitute a burden on the rental industry that is not shared by others. If rents are to be kept reasonably low in the San Joaquin Valley, alternate and more equitable means of financing municipal services must be found.

3. Density Requirements (Persons Per Unit) and Rental Housing Industry.

It has been estimated that the rental housing industry in the Fresno/Clovis Metropolitan Area comprises approximately thirty-five percent (35%) of the total housing stock. In areas previously developed and what would be considered older areas, other than in-fill lots, the existing housing stock is not equipped to handle the increased population. There have been efforts by state and federal agencies to impose upon rental owners increased density requirements within the rental units resulting in over crowding and over utilization of the individual housing projects.

For example, the California Department of Fair Employment and Housing has unilaterally imposed a density requirement that requires owners to allow seven (7) adults in a three (3) bedroom apartment or house. Such housing density was never anticipated at the time many units were developed. Parking is insufficient, play areas are restricted, and the facilities of the units are not built to take the increased density.

Encouragement of further multi-family housing in the older areas of town is a must. In addition, there must be some method of relieving the rental owner of this increased density requirement to preserve the housing stock and encourage rental owners to maintain their units. In the newer areas of construction, municipalities

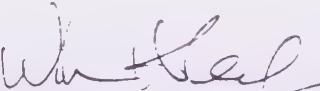
must encourage fair-share development of multi-family housing and must anticipate the increased population.

If the state and federal governments are going to insist on increased densities, then the local municipalities must cooperate with the multi-family builders in anticipating this higher density.

Conclusions. Intelligent controlled growth must anticipate sufficient diversity in the housing stock in the entire metropolitan area to accommodate the varied populations coming to the community. A failure to plan ahead will lead to a lack of sufficient affordable housing for all segments of our society and could further potentially increase distinct separation of economic and cultural groups according to how new the area is and whether there has been encouraged construction.

The Apartment Association of Greater Fresno believes that the key to success in the community is a detailed plan for how to accommodate the population that is anticipated to come into the community in the next twenty (20) years. If construction is not encouraged and planned for throughout the community, such lack of planning will negatively impact on the community.

DATED: 7-1, 1991.


WILLIAM H. LEIFER,

President of the Association

Fresno Neighborhood Alliance
P.O. Box 5956
Fresno, Ca. 93755

DATE: JULY 19, 1991

TO: THE GOVERNOR OF CALIFORNIA & THE GROWTH MANAGEMENT COUNCIL
C/O GOVERNOR'S OFFICE OF PLANNING & RESEARCH
1400 TENTH STREET
SACRAMENTO, CA 95814

FROM: FRESNO NEIGHBORHOOD ALLIANCE
P.O. BOX 5956
FRESNO, CA 93755

RE: IMPORTANT GROWTH ISSUES FACING FRESNO AND CALIFORNIA

FRESNO NEIGHBORHOOD ALLIANCE IS A NON-PROFIT PUBLIC ORGANIZATION REPRESENTING 16 HOMEOWNER ASSOCIATIONS AND NEIGHBORHOOD GROUPS IN THE FRESNO METRO AREA. WE ARE CONCERNED ABOUT ALL QUALITY OF LIFE ISSUES AFFECTING RESIDENTS OF OUR AREA, AND WE APPRECIATE HAVING THE OPPORTUNITY TO COMMENT ON THE IMPORTANT GROWTH ISSUES FACING OUR AREA AND CALIFORNIA.

CURRENTLY, LOCAL & STATE GROWTH IS "EXHUBERANT. HOWEVER, THIS HAS A "DOWN SIDE"- A BIG "DOWN SIDE": IT CAUSES CERTAIN DELETERIOUS ENVIRONMENTAL CONDITIONS. TODAY WE WISH TO DISCUSS THESE ADVERSE ENVIRONMENTAL CONDITIONS, THEIR CAUSES AND POSSIBLE REMEDIES .

I. WORSENING WATER QUANTITY/ QUALITY

WATER, MOST PRECIOUS OF ALL RESOURCES, IS IN SHORT SUPPLY IN MANY REGIONS OF OUR STATE; ALMOST EVERYWHERE INCREASING AMOUNTS OF POLLUTANTS THREATEN ITS QUALITY. THE FRESNO AREA IS TROUBLED WITH A WHOLE HOST OF ORGANIC AND INDUSTRIAL CREATED POLLUTANTS SUCH AS NITRATES, SALTS, DBCP TCE, PCE, ETC. IN OUR SAN JOAQUIN VALLEY, GROUNDWATER PLUMES CONTAMINATED WITH DBCP RUN IN POOLS HUNDREDS OF MILES LONG BY MILES WIDE. YET, OUR AREA, IN THE KINGS GROUND WATER BASIN, MUST HAVE LARGE QUANTITIES OF GOOD QUALITY WATER FOR BOTH URBAN AND FARM USES.

THE CITY OF FRESNO DEPENDS ON GROUNDWATER FOR DRINKING WATER. IT IS DESIGNATED A SOLE SOURCE AQUIFER BY THE EPA. AS OF MARCH 1991 FRESNO HAD 57 WELLS CLOSED OUT OF A TOTAL 240- 42 CLOSED BECAUSE OF CONTAMINATION. THE CITY'S AQUIFER MUST BE STABLE.

FARM CROPS/ WATER IN FRESNO COUNTY ARE OF MAJOR ECONOMIC IMPORTANCE NOT ONLY TO FRESNO, BUT TO CALIFORNIA AND OUR NATION AS WELL. THE REASONS ARE SIMPLE. FRESNO IS THE TOP AGRICULTURAL COUNTY RANKED BY VALUE OF COMMODITIES PRODUCED -IN THE STATE AND THE NATION(FRESNO BEE, 4-24-91). FURTHERMORE, THE SAN JOAQUIN VALLEY PRODUCES 45% OF THE NATION'S FOOD PRODUCE. THE FUTURE SURVIVAL OF OUR STATE AND NATION DEPEND ON THE PRODUCTIVITY OF THE SAN JOAQUIN VALLEY FOOD BASKET. LOSS OF THIS FOOD SOURCE & LUCRATIVE ECONOMIC SOURCE WOULD HAVE A "RIPPLE OUT" AFFECT WHICH WOULD BE ECONOMICALLY DEVASTATING AT ALL GOVERNMENTAL LEVELS.

P. 1 A FNA COMMENTS ON GROWTH CONDITIONS

SECURE URBAN AND AGRICULTURAL USE IN OUR AREA, DESCRIBED ABOVE, MAKE A STATE LEGISLATURE PROPOSAL FOR THE SALE OF WATER TO THE HIGHEST BIDDER INTOLERABLE. ONE AREA OF OUR STATE MUST NOT BE ABLE TO DESTABILIZE ANOTHER AREA WHICH IS SO VITAL TO THE FOOD & ECONOMIC NEEDS OF OUR STATE AND NATION SOLELY BECAUSE OF POLITICAL CLOUT. THE PROPOSAL IS AMORAL AND SHORT SIGHTED BEYOND BELIEF.

F. 3 FNA COMMENTS ON GROWTH

THE STATE MUST ALSO INCREASE PRESSURE ON INDUSTRY TO PRODUCE ALTERNATIVE CLEAN VEHICLE FUELS WHICH CUT POLLUTION DRAMATICALLY. SEVERAL YEARS AGO FNA LOCALLY INTRODUCED A COMPRESSED NATURAL GAS FUELED VEHICLE FOR EARTH DAY. DESPITE ALL ITS BENEFITS OF SAME MILEAGE, ACCELERATION, LOWER FUEL COST, AND DRAMATICALLY CLEANER FUELS, CNG VEHICLES ARE STILL "OFF" IN THE FUTURE.

CALIFORNIA MUST DO MORE TO EXCELERATE CLEAN FUEL REQUIREMENTS, DEVELOPMENT & PRODUCTION. THE PUBLIC TRUST DEMANDS IT. WE HAVE THE RIGHT TO BREATH CLEAN AIR, AND BIG BUSINESS MONOPOLIES RESTRAINING THE DEVELOPMENT OF THESE HEALTH & LIFE SAVERS FOR PERSONAL PROFIT ARE UNACCEPTABLE.

IV. INADEQUATE SOLID WASTE DISPOSAL CAPACITY -

WORSENING HAZARDOUS WASTE POLLUTION

TO JUST STAY EVEN WITH LAND FILL DEMANDS, THE STATE IS REQUIRING AMBITIOUS REDUCE- RECYCLE -REUSE PROGRAMS IN EVERY COMMUNITY. OUR CONCERN IS THAT UNLESS EACH COMMUNITY MUST DISPOSE OF ITS OWN WASTES AT LEAST REGIONALLY, IT WILL NEVER REDUCE ITS PRODUCTION OF HAZARDOUS/ NON- HAZARDOUS WASTES, AND, THEREFOPRE, THE POLLUTION OF PRECIOUS GROUNDWATER/AIR QUALITY WILL CONTINUE.

TO COMBAT THESE PROBLEMS WE SHOULD STRESS INTERJURISDICTIONAL AGREEMENTS BETWEEN COUNTIES FOR ALL TYPES OF WASTE DISPOSAL INCLUDING HAZARDOUS WASTES ; PROTECT RURAL REGIONS WHICH ARE IMPORTANT FOR FOOD PRODUCTION ON A STATE & NATIONAL LEVEL FROM BECOMING HAZARDOUS WASTE DUMPING GROUNDS ; RESTRICT THE USE OF/ STORAGE OF HAZARDOUS MATERIALS/ PESTICIDES /HERBICIDES IN CRITICAL GROUNDWATER AREAS; AND MAKE THE "REDUCE" PART OF "REDUCE- RECYCLE -REUSE" THE KEY TO OUR FUTURE.

V. INADEQUATE SEWER CAPACITY -IRRESPONSIBLE REUSE OF SEWER SLUDGE

THE CITY OF FRESNO'S SEWER CAPACITY HAS JUST ABOUT REACHED THE END OF ITS LINE - LITERALLY. WE NEED A MULTI- MILLION DOLLAR BAILOUT OF SEWER FACILITY EXPANSION TO ALLOW GROWTH TO CONTINUE.

CURRENTLY, CITY POLICY IS ALLOWING BORROWING OF NON- EXISTANT CAPACITY TO ALLOW CONTINUED GROWTH IN CERTAIN AREAS . WE DO NOT FEEL THIS IS RESPONSIBLE PLANNING: WHEN SEWER CAPACITY IS PLAYED OUT IN CERTAIN PLAN AREAS, POLICY SHOULD REQUIRE SHIFTING GROWTH TO OTHER URBAN AREAS. IN FACT, ONE WAY GROWTH COULD BE BALANCED IN A COMMUNITY IS BY DIVIDING TOTAL SEWER CAPACITY UP BETWEEN URBAN DISTRICTS AND REQUIRING SHIFTING GROWTH TO ANOTHER AREA WHEN THIS SEWER CAPACITY ALLOWANCE IS REACHED IN ANY PARTICULAR DISTRICT. THIS WOULD BE ESPECIALLY BENEFICIAL IN ENCOURAGING GROWTH TO TAKE PLACE IN INNER URBAN AREAS.

REGIONAL AREAS MUST BE CAREFUL THEY ARE ADEQUATELY PROTECTING THEIR WATER QUALITY AND CROPS FROM HEAVY METALS/ PATHOGENS DEPOSITED BY SEWER SLUDGE DISPOSAL. STRINGENT RESTRICTIONS ON SEWER SLUDGE CONTENTS AND DISPOSAL NEED TO BE CONSIDERED.

P. 2 FNA COMMENTS ON ALL ISSUES

IN ADDITION, WATER SALE TO THE HIGHEST BIDDER WOULD UNDERMINE FARM LOANS WHICH ARE NOW DEPENDENT ON WATER AVAILABILITY, AND COULD RESULT IN UNSUSTAINABLE PHYSICAL URBAN GROWTH BASED ON INDEFINITE DRINKING WATER SUPPLY. THEREFORE, THE SALE OF WATER, AS PROPOSED UNDER RICHARD KATZ'S BILL CAN NOT BE TOLERATED. ONE AREA OF OUR STATE MUST NOT BE ABLE TO DESTABILIZE ANOTHER AREA WHICH IS SO VITAL TO THE FOOD & ECONOMIC NEEDS OF OUR STATE AND NATION SOLELY BECAUSE OF POLITICAL CLOUT. THE PROPOSAL IS AMORAL AND SHORT SIGHTED BEYOND BELIEF.

THE APPROACH TO WATER MANAGEMENT NEEDS TO LOOK AT ALL OTHER ALTERNATIVES THAN WATER SALE- SUCH AS CREATING CROSSOVER BENEFIT DISTRICTS/ INTERAGENCY TASK FORCES TO COORDINATE WATER MANAGEMENT PLANS. TO ENSURE A STABLE WATER SUPPLY FOR FUTURE GROWTH NEEDS, CALIFORNIA SHOULD EXPLORE GROUNDWATER PUMPING LEGISLATION. CURRENTLY, ANYONE HAS THE RIGHT TO PUMP AS MUCH WATER AS THEY WANT REGARDLESS OF THE CIRCUMSTANCES. THE STATE NEEDS TO EVALUATE OTHER MODEL LEGISLATION CONCERNING WATER RIGHTS & GROUNDWATER PUMPING (INCLUDING OTHER WATER SHORT STATES LIKE ARIZONA). THE FUTURE OF OUR STATE DEPENDS ON PRESERVING WATER QUANTITY/ QUALITY IN THE PUBLIC INTEREST: WATER CONSERVATION & QUALITY PROTECTION WILL BE THE KEYS TO FUTURE GROWTH.

II. TRAFFIC CONGESTION - INADEQUATE PUBLIC MASS TRANSIT

CURRENTLY, LAND USE PATTERNS SCATTERING POPULATIONS INTO THE FOOTHILLS, RIVERBOTTOMS AND RURAL FARM LANDS ARE NOT CONDUCIVE TO DEVELOPING TRAFFIC FREE CONGESTION OR MASS TRANSIT. POPULATION CORRIDORS WITHIN INNER URBAN AREAS NEED TO BE ESTABLISHED THAT CAN ANCHOR A MINIMUM OF 50,000 TO 80,000 JOBS. THE FRESNO METRO AREA GROWTH CURRENTLY PROVIDES ONLY APPROXIMATELY 15,000 JOBS DOWNTOWN- MASS TRANSIT CLEARLY CAN NOT BE SUCCESSFUL WITH THIS LACK OF JOB/POPULATION SUPPORT WITHIN URBAN AREAS WHERE COST EFFECTIVE INFRASTRUCTURE ALREADY EXISTS. EFFECTIVE MASS TRANSIT DEPENDS ON THE REVERSAL OF THIS TREND STATEWIDE.

III. DETERIORATING AIR QUALITY

ACCORDING TO EPA, BECAUSE OF UNPLANNED GROWTH AND CERTAIN CLIMATIC AND GEOGRAPHICAL CONDITIONS THE SAN JOAQUIN VALLEY HAS THE POTENTIAL TO HAVE THE WORST AIR POLLUTION IN THE NATION. TO COUNTER THIS, AIR POLLUTION, WHICH RESPECTS NO POLITICAL BOUNDARIES, MUST BE DEALT WITH ON A REGIONAL BASIS AND THE RECENTLY CREATED UNIFIED SJV APCD IS A STEP IN THAT DIRECTION. IT IS ESSENTIAL THEREFORE, THAT IT CONTINUE ITS REMODELING ALONG EPA / CARB DEMANDS TO CREATE ONE TRUE UNIFIED AIR DISTRICT WITH ONE UNIFIED ADMINISTRATION/ PERMITTING BRANCH AND CREATE RULES WHICH EFFECTIVELY, AND AT THE EARLIEST ATTAINABLE DATE, REDUCE EMISSIONS ACCORDING TO CLEAN AIR REQUIREMENTS. IN THAT END, IT IS ESSENTIAL THAT THE STATE RETAIN THE INDIRECT SOURCE REVIEW RULE AS A MEANS BY WHICH REGIONAL AREAS CAN SET AIR QUALITY MITIGATION FEES TO COUNTER GROWTH EFFECTS.

P. 4 FNA COMMENTS ON GROWTH

VI. DESTRUCTIVE LAND USE PATTERNS WHICH DISPERSE POPULATIONS TO OUTLYING AREAS BEYOND EXISTING URBAN SERVICES AND CAUSE THE DETERIORATION OF THE ENVIRONMENT & INNER URBAN INFRASTRUCTURE -

INADEQUATE PUBLIC FUNDING RESULTING IN REDUCED LAW ENFORCEMENT, FIRE PROTECTION, LIBRARY, RECREATION AND OPEN SPACE

IN ORDER TO DEAL WITH THESE LAST COMPLEX CONDITIONS, AS WELL AS THE PRECEDING CONDITIONS DISCUSSED, WE RECOMMEND CONSIDERATION OF THE FOLLOWING POLICIES:

DEAL WITH GROWTH ON A REGIONAL BASIS IN REGARDS TO AIR & WATER QUALITY, SEWER CAPACITY, SOLID & HAZARDOUS WASTE DISPOSAL, & TRANSPORTATION NEEDS INCLUDING MASS TRANSIT

PROTECT PRIME AGRICULTURAL LAND, WETLANDS INCLUDING RIVERBOTTOMS, & OPEN SPACE

DIRECT ALL GROWTH TO EXISTING CITIES- STRESS INFILL

BALANCE GROWTH WITHIN MUNICIPALITIES- REQUIRE THE MONITORING OF SEWER, WATER, TRAFFIC & SCHOOL CAPACITY ON A PROJECT BY PROJECT BASIS SHIFTING GROWTH TO OTHER AREAS WHEN PRESET CAPACITY DETERMINERS ARE REACHED WITHIN DEFINED GROWTH AREAS

PROVIDE AN ADEQUATE TRANSPORTATION CIRCULATION SYSTEM WITH MASS TRANSIT AS THE CENTERPIECE

REQUIRE STRINGENT AIR & WATER QUALITY, WATER CONSERVATION, AND OPEN SPACE STANDARDS TO ENSURE FUTURE QUALITY OF LIFE

TO PROVIDE FUNDING, LOOK AT UNDERTAKING COST EFFECTIVE WAYS OF OPERATING PUBLIC AGENCIES -SUCH AS BENEFIT ASSESSMENT DISTRICTS PUT TOGETHER WITH PUBLIC INPUT FROM THE EARLIEST POSSIBLE ONSET &/OR AGENCY & INTER-AGENCY CONSOLIDATION OF INFRASTRUCTURE SERVICES WHEN POSSIBLE TO PROVIDE THE MOST COST EFFECTIVE PROGRAMS

THESE ARE SOME OF OUR RECOMMENDATIONS FOR DEALING WITH GROWTH PROBLEMS, AND YOU'VE HEARD MANY OTHERS. UNLESS WE GET OUR ACT TOGETHER QUICKLY TO HANDLE GROWTH CONDITIONS WITH THE INTELLIGENCE AND THE UNDERSTANDING TO DETERMINE THAT IN THE PURSUIT OF ECONOMIC GROWTH AND DEVELOPMENT WE MUST CARE FOR OUR BIOLOGICAL AND PHYSICAL SYSTEMS IN ECOLOGICALLY SUSTAINABLE WAYS, THE PUBLIC WILL DEMAND THAT GROWTH COME TO A HALT BECAUSE OF THE DETERIORATING LIFE QUALITY IT BRINGS WITH IT.

P.5 FNA COMMENTS ON GROWTH CONDITIONS

HOW CAN WE PROGRESS WHEN POPULATION GROWTH NOT ONLY HASTENS DEGRADATION OF THE ENVIRONMENT, BUT ALSO THREATENS DEVELOPMENT ITSELF?

PERHAPS, A VIABLE SOLUTION TO CONSIDER WOULD BE FOR THE STATE TO ENFORCE ITS OWN STATE PLANNING LAW & CEQA LAW ALREADY ON THE BOOKS- RATHER THAN LEAVING IT UP TO ITS CITIZENS AND CITIZEN ORGANIZATIONS TO DO SO. CURRENTLY, THE PUBLIC ITSELF ENFORCES PLANNING & CEQA LAW BY SUING OVER THOSE ENVIRONMENTAL GROWTH ISSUES WHICH PUBLIC AGENCIES FAIL TO ADDRESS IN THE PUBLIC INTEREST.

ONE POSSIBILITY IS FOR THE STATE TO LEVEL FINANCIAL PENALTIES AGAINST PUBLIC AGENCIES WHICH ROUTINELY VIOLATE THE PUBLIC TRUST IN ENVIRONMENTAL MATTERS AND REQUIRING THAT THE MONEY COLLECTED BE USED WITHIN THE FINED JURISDICTION FOR ENVIRONMENTAL PROTECTION PROGRAMS. THE DECISION MAKING LEVEL AT WHICH SUCH ENFORCEMENT OCCURS SHOULD BE SIGNIFICANT- SUCH AS WITH GENERAL PLANS, COMMUNITY PLANS , SPECIFIC PLANS, AND PLAN AMENDMENTS. AN ARBITRATION BOARD COULD MAKE SETTLEMENTS & /OR RESOLVE DISPUTES BEFORE CASES WENT TO COURT. IN THIS WAY, THE ENVIRONMENT COULD NOT LOSE- EVEN IF THE FLOW OF PENALTIES WERE REDUCED BY THE AGENCIES ADHERENCE TO PLANNING & CEQA LAW, FOR THOSE LAWS ARE DESIGNED TO PROTECT THE ENVIRONMENT...

WHATEVER YOUR SOLUTIONS ARE, WE ASK THAT THEY REFLECT SUSTAINABLE GROWTH STRATEGY. THE PUBLIC TRUST DESERVES NO LESS.

SINCERELY,

FRESNO NEIGHBORHOOD ALLIANCE
BOARD OF DIRECTORS

Joni Johnson

GREGORY D. KLINE

SELMA M. LAYNE

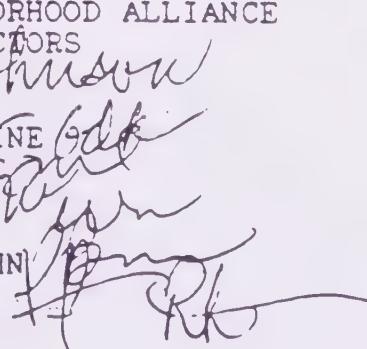
JOAN WEEKS

WES NELSON

BLANCHE MILHAHN

PATTY FREGOSO

RON DONALDSON





FRESNO NEIGHBORHOOD ALLIANCE

Protecting Life Quality

WATER CRISIS UPDATE MARCH, 1991

3-6-81 BULLETIN

TOTAL # FRESNO WELLS:	240
TOTAL # CLOSED:	57
DBCP CLOSURES:	15
TCE CLOSURES:	8
PCE CLOSURES:	4
NITRATE CLOSURES:	5
EDB CLOSURES:	10
OTHER CLOSURES:	15

Water is a very precious resource in Fresno. Adequate supplies of safe drinking water are essential to a sound future.

Fresno's continued growth makes it imperative that we do what is required to protect, conserve, replenish and stop wasting this valuable resource.

All of Fresno's drinking water comes from the underground water table.

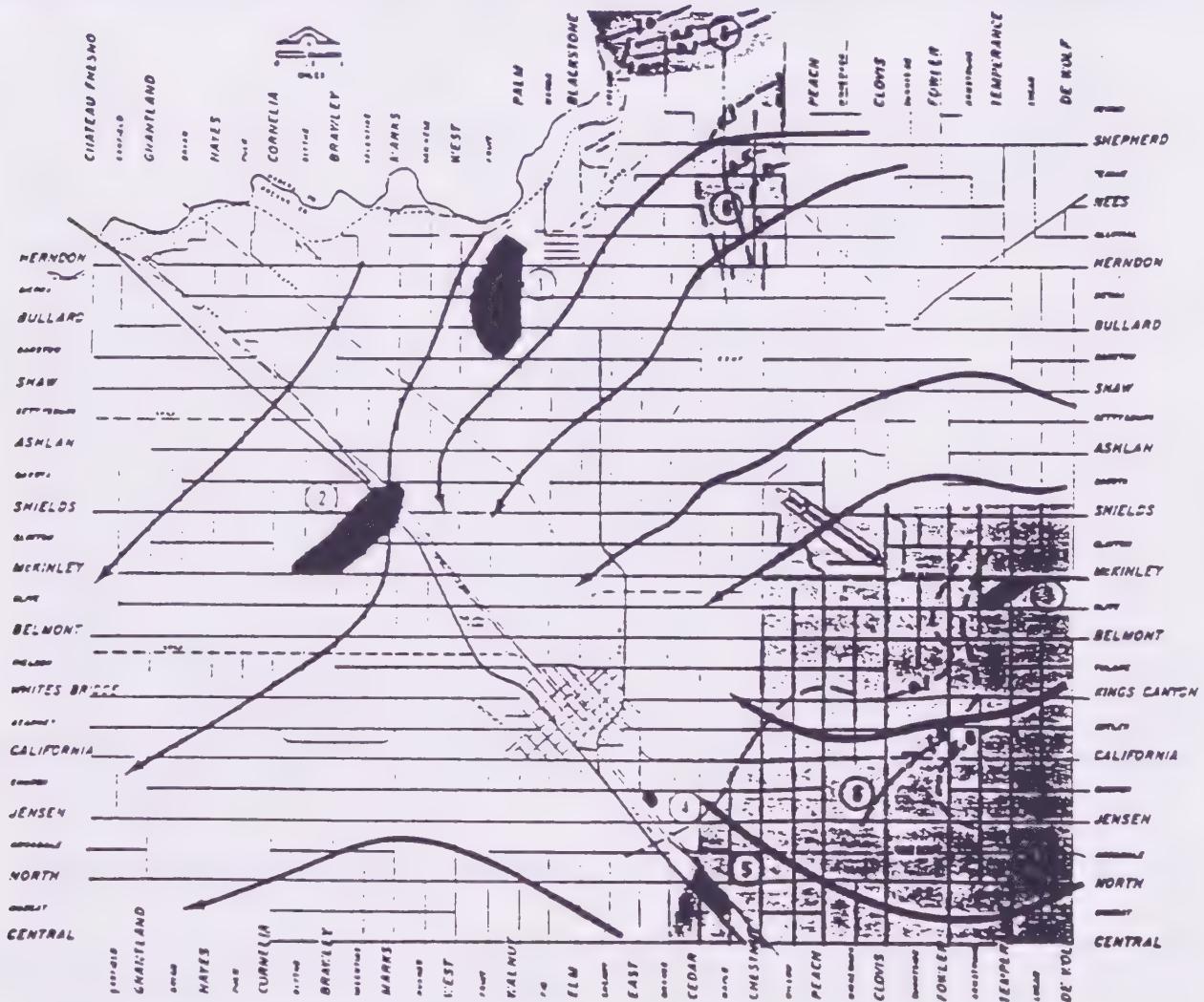
For many years Fresno had very high quality drinking water, and it was available at one of the lowest rates in the state. But in recent years, a crisis has been developing.

The root of Fresno's water problem is water quality. Over a long period of time, portions of our water supply have become contaminated.

The major source of contamination in our water is agricultural chemicals. Other sources include industrial/commercial wastes, leaking underground storage tanks, residential use of pesticides and fungicides, and old septic systems.

The principle contaminants affecting Fresno's wells are two banned agricultural chemicals; the pesticide, DBCP, and the soil fumigant, EBD. These contaminants are widespread and difficult to control. Other localized contaminants found in Fresno's wells include the industrial solvents, TCE and PCE, as well as nitrates from old septic tanks.

ZONES OF GROUNDWATER CONTAMINATION



KEY



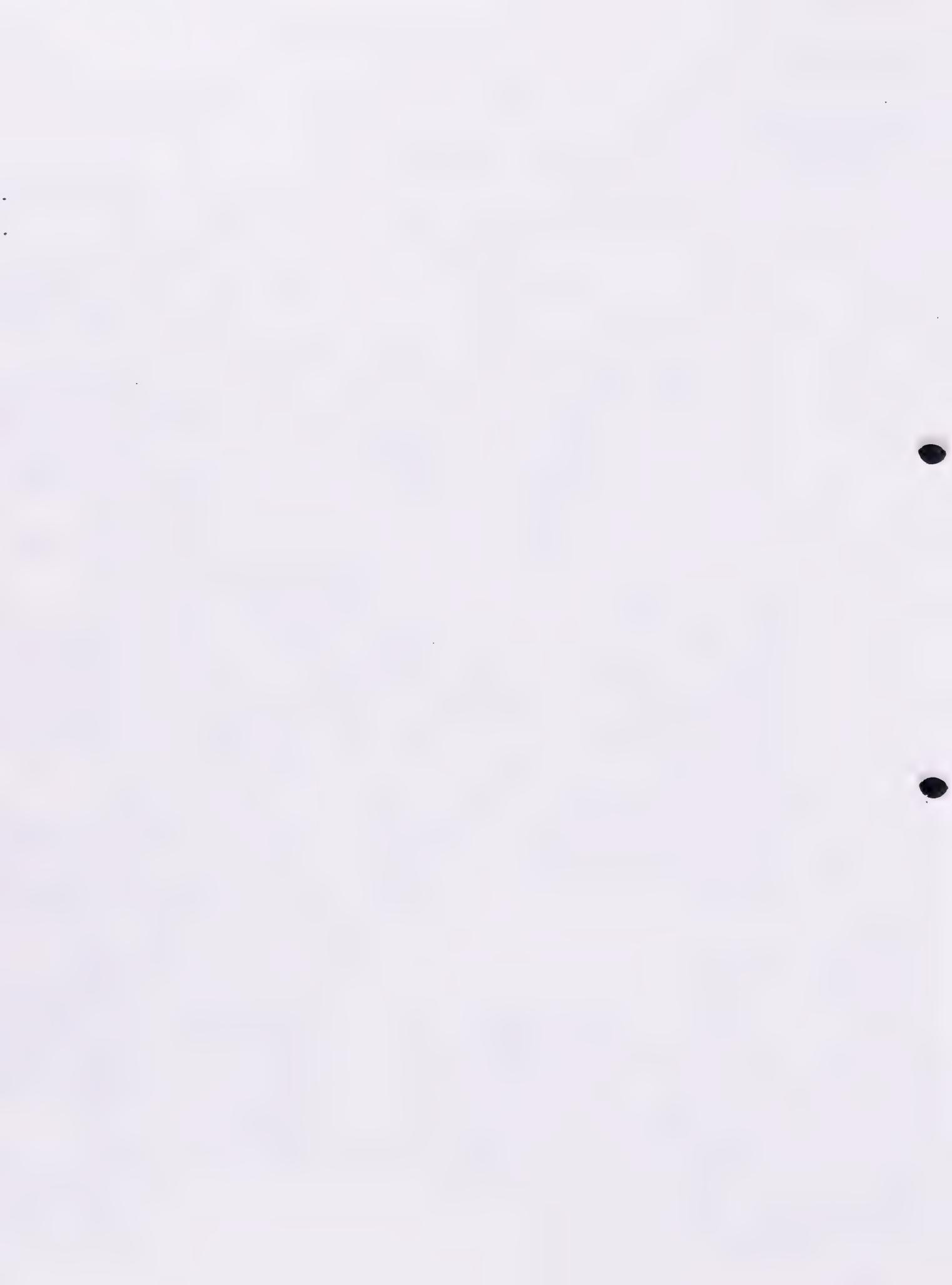
Groundwater flow lines

- 1 TCE Plume
- 2 Salt Plume
- 3 THAN Site chloroform plume
- 4 FMC Site Pesticide Herbicide
- 5 Purity Oil several volatile compounds

6 DBCP



0.1 - 50 parts per billion
Current Maximum Contaminant level 1.0 parts per billion
Anticipated June 1989 0.2 parts per billion





Building Industry Association
of the San Joaquin Valley

July 19, 1991

Testimony by: Jeffrey B. Harris
Executive Vice President

To: Governor's Interagency Council on Growth Management

The true American dream has always been to own one's own home. It is a cornerstone of American society and a key to instilling traditional American values into our nation's youth. Homeownership creates an increased interest and participation in civic affairs, along with an increased sense of responsibility for local community needs. However, the American dream of homeownership is becoming increasingly difficult, if not impossible, for many Californian's to afford.

The key reason that home ownership is becoming less available is because of increasing direct and indirect governmental constraints, which are resulting in housing costs outpacing the growth of household incomes. In Fresno today, only 48% of households are able to qualify to purchase a median priced home. Although Fresno is often touted as a bastion of housing affordability, it in fact is a low 102nd in the national housing affordability ranking ... far behind other more affordable areas, such as Salt Lake City, Denver, Portland, Phoenix and Dallas. Even areas that are traditionally considered expensive, such as Washington DC or Chicago are FAR more affordable than Fresno!

The ONLY reason for this crisis of affordability is the impact of governmental constraints upon residential construction. Since Proposition 13, direct fees and exactions imposed by local governments upon new development to finance infrastructure needs have become their single greatest new source of revenue. Also, elected leaders are often sympathetic to restricting local growth, which results in unnecessary and costly zoning restrictions and processing delays for residential developments.

Any attempt at a state-wide or local growth management strategy MUST look first at market-based solutions which allow for consumer choice and preference. Housing supply must be kept in balance with demand and excessive fees or restrictions must be removed. Growth



management decisions must include housing affordability as a key element in the process. Environmental and social decisions cannot be allowed to take place in a vacume, without considering the economic effect upon each Californian's housing opportunities.

In previous hearings you have heard that California is presently facing the worst environmental and social disaster imaginable --- namely urban sprawl. What we are seeing is that existing planning and environmental law encourage new development to move outward to where single family homes can be built at more affordable prices. State growth policies should be adopted which (1) encourage construction of higher density development in urban areas and (2) punish jurisdictions which fail to meet their fair share of the state's housing needs. All jurisdictions should be required to accommodate their fair share of the demand for new housing.

State growth policies should encourage and make more economically feasible compact urban development. This could be accomplished by encouraging development in existing areas, moderately higher densities, in-fill development and redevelopment. These policies by themselves though will not meet the full need for housing in this state. Consumer demand and preference is a more significant factor determining location and housing type than many policy makers are willing to acknowledge. State policies must also allow for master planned communities and new cities in outlying areas where it can be established that they meet threshold service levels, provide economic enhancement, mitigate environmental impacts, and generally reflect the needs of the community.

Some have advocated the imposition of urban limit lines as a way to control the expanding urban fringe. The creation of urban limit lines is unacceptable and would result in an immediate, substantial, and unnecessary increases in the cost of housing within the lines. Establishing a growth boundary will not result in the construction of any additional affordable housing units. The experience of states which have implemented urban development areas has been that land values outside the lines have fallen sharply, while land values have risen dramatically inside the lines. In Oregon, for example, the value of developable land rose 30% nearly overnight pushing housing costs significantly upward. In the high growth areas of California, land costs are approaching 40% of the total residential costs. The imposition of artificial development boundaries or urban limit lines in California would make affordable housing a distant memory.

As an alternative to urban growth boundaries, BIA could support a concept that identifies preferred development areas. Within areas of enhanced development opportunity, certainty of development would be guaranteed with fiscal, regulatory, legal and other appropriate incentives flowing to developments. The remaining areas would be open to development, but subject to the full range of legal, regulatory, fiscal and social policies that exist under current law.

The state should set broad development and conservation policies which local governments through their General Plans would decide how best to implement. The General Plan process should require an early identification of important natural resources within the planning area to be protected. These would include bays, lakes, coastal resources, habitats, wetlands, forest areas, and mineral resource areas. Making environmental decisions at the General Plan level would create greater certainty for environmentalists and developers alike. The General Plan would truly serve as the development and resource protection plan of each jurisdiction.

It is important here to draw a distinction between the protection of significant natural resources and the protection of farmlands. Both deserve to be identified early on and protected, but there are at least two issues with respect to farmland which state policies should address. First of all, the definition or identification of "prime" farmland needs to be linked more to its productive capacity and economic viability. Marginal land is not worthy of state protection policies and should be available for uses which serve basic human needs for housing and employment.

Second, modification of state farmland conversion rules is necessary. New conversion policies which consider and balance the economic viability of the farmland and the need to accommodate the state's growth should be developed to encourage conversion where, for example, marketplace problems or government actions make continued farming unprofitable and to discourage conversion of lands with diverse natural productive capacity. Admittedly, this is a complex subject, but we are willing to work to achieve farmland conversion policies which balance agricultural interests with emerging state growth policies.

The state must commit to investing adequate revenues over a 20 year period to provide the necessary public physical facilities to accommodate population growth and economic activity. To accomplish this, the state should authorize local governments to increase property taxes by a majority vote of the electorate to fund general obligation bonds for physical infrastructure including transportation, schools, water quality facilities, storm management facilities and other necessary facilities. Additionally, the state should create and fund a state infrastructure bank to provide investment leveraging to assist local agencies in meeting the need for important region wide infrastructure.

A comprehensive assessment of the physical infrastructure required to support and accommodate our population growth should be prepared. To accomplish this, capital facilities planning at all levels of government should be required which encourage efficiencies in the provision and use of capital facilities. Likewise, local governments should be required as part of their general plan to develop and implement a capital facilities plan, consistent with the state plan, to identify how physical infrastructure to implement the general plan

will be provided. The capital facilities plan should include:

- who is responsible for each facility
- how it is to be financed and when
- efficiency measures
- how fee nexus requirements will be implemented
- how environmental and social impacts will be minimized

As part of any growth management solution, local governments must be provided with adequate revenues and revenue generating authority so that decisions related to growth are not driven primarily by the need to raise revenues to pay for services. Revenue sources which must be considered include sales tax, gas tax, property and other real estate related taxes, business license fees, income tax, motor vehicle license fees, water, transportation, park and recreation fees, and other user fees. It is critically important that our revenue generating system be based upon principles of equity and a fair sharing of benefits and costs.

The state needs to enact internally consistent and integrated state wide goals and policies which serve to provide a clear and uniform direction to local governments. Future state growth management policies should be implemented at the local level of government utilizing a system of regulatory sanctions and fiscal incentives and disincentives to ensure compliance. While it is true that many decisions made by local governments have impacts which transcend local boundaries, at this time BIA cannot endorse a new and costly additional layer of government as the solution.

There needs to be, however, improved cooperation, coordination and consistency between and among existing governmental entities. To encourage local governments to cooperatively address "regional" issues, the state could tie state monies for infrastructure and housing to the achievement of new state goals. This would result in "voluntary" cooperation between local governments.

Future state growth policy must be consistent with maintaining a healthy overall state business environment. We must never lose sight of the need to provide a sound economic climate that encourages job creation, business retention and expansion. The state must be committed to providing its citizens with adequate affordable housing, adequate employment opportunities and a minimum of governmental constraints upon the marketplace.



Building Industry Association of Tulare / Kings Counties

July 19, 1991

Governor's Interagency Council on Growth Management

State of California

Governor's Office of Planning and Research

1400 Tenth Street

Sacramento, California 95814

Regarding: Testimony at Growth Management Council Hearing. Fresno, July 19, 1991.

I am here on behalf of the BIA of Tulare/Kings Counties to address the general issue of growth, its management, our specific problems of affordable housing in our two county area, and the matter of the implementing entity of such a program.

We are all here to respond to the growing imbalance between the supply and the demand for affordable housing throughout the State.

We believe that the opportunity to purchase an affordable home should be possible for all citizens not a privilege affordable by a few.

What was once known as the American Dream has now fallen to the level of wishful thinking, or the impossible dream.

Though growth management is a state-wide problem, the State's leadership must realize that it is actually the growth in each individual jurisdiction that must be addressed and should be addressed by the local elected officials who are held responsible by their electorate.

Local governments as well as the building industry recognize that the population in California is growing at a phenomenal rate and when coupled with the influx of humanity from outside our borders, the need for positive and equitable direction regarding growth management becomes paramount.

In the Tulare/Kings County area, we have: 1) the highest unemployment rate in the State (due to the recent freeze) 2) one of the last bastions of affordable housing and 3) a qualified work force that is attractive to commercial and industrial development.

We also have a median house price of \$120,000; median household income in the Tulare County area is \$19,809 and \$22,013 in Kings County. These figures mean that only 38.4% of our families can afford a \$90,000 + home.



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Without the ability to attract new employment opportunities and build and maintain affordable housing, the financial and economic needs of this area will be channeled upward to the State which is already financially burdened.

We have calculated that between 20-30% of the cost of new housing in our area is generated by government imposed regulation, unreasonable standards, red tape, delays and growth limiting restrictions. In many areas, the additional fees for schools, transportation, streets, sewer, parks, etc. equal the actual cost of the raw land. In this regard, we are in total agreement with the recent findings of Secretary Kemp and the Department of Housing and Urban Development.

We, in the Central Valley, agree that the protection of significant natural resources is a necessity as is the protection of farmlands. We further believe that modification of the farmland conversion policies is necessary, especially where marketplace problems, or government actions, cause continued farming to become unprofitable, and the economic viability of the land would be better served to accommodate the State's growth.

We know that a State Growth Management Plan cannot undo, or correct, the results of previous planning processes or philosophies, nor can the State create a solution to massive growth with a single brush stroke that would dictate land use, development, environment, resource protection and the livability and economics of the State's 58 counties and 461 cities. We believe that a new level of regional entities will lack the same ability to regulate or mandate growth management policies over a general geographic area.

We do support the concept that the State develop guidelines that address the various problems that arise from growth/ i.e. development of employment centers, housing, building densities, school facilities, transportation infrastructure, natural resource protection, etc. These guidelines must be fairly drawn and encompass the necessary areas of concern while providing for a solid economic and market-oriented base.

We suggest that the State mandate that each local entity be required to develop a growth management plan, such as is now done with housing elements. Such plans should be designed to handle growth in a positive manner rather than growth limiting as is now the common practice.

We further suggest that the State legislature's job is to develop the means of providing financing in a fair and equitable manner to pay for the necessary growth related amenities, school facility financing, infrastructure, transportation, etc. We suggest that the legislature return control and responsibility for this financing to the local entities. A major tool would be to allow local funding activated by a majority vote on local bond issues.

This would place the financial burden on the individual communities that are impacted by growth.

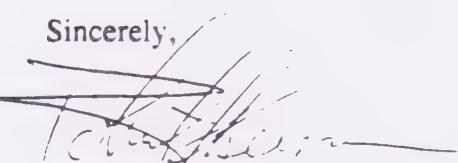
If the economic downturn persists, and growth is overly restricted, each succeeding impacted area will only exacerbate the eventual effect on the entire state.

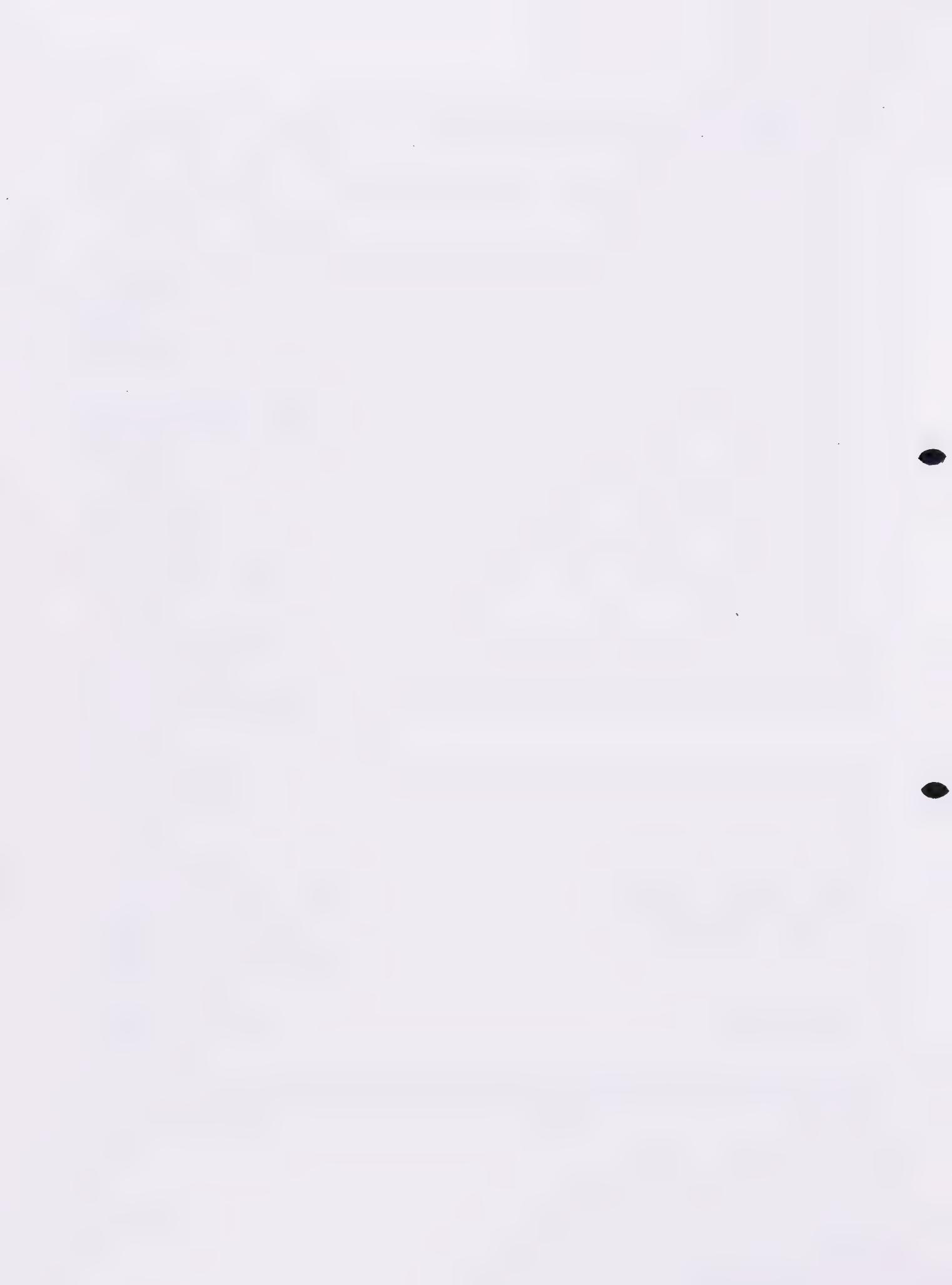
Since each local entity has its own socioeconomic uniqueness, general plan, goals and image that it wishes to maintain, as well as the responsibility of self-determination, we strongly hold the position that local government entities should be responsible for implementing the State guidelines. This would allow each city to manage growth directly due to local population influx, local birth rate, existing and projected employment levels, infrastructure needs and quality of life.

The local governments would then have the direct responsibility to plan their growth patterns, necessary infrastructures, employment centers, housing and transportation needs. Planning for growth, and its subsequent management on the local level, would bring together all local factions and their individual concerns and needs into a public forum. The outcome would be to maintain a strong economic base, provide the resources and amenities necessary for the local quality of life and accommodate the potential impact of future growth.

The Building Industry of Tulare/Kings Counties thanks you for this opportunity to provide you with our views. If the opportunity to provide additional input arises as the Growth Management Plan develops, we would appreciate the opportunity to provide additional input.

Sincerely,


Robert J. Keenan
Executive Vice-President
BIA of Tulare/Kings Counties



LICCIARDELLO
& ASSOCIATES

COMMENTS ON GROWTH MANAGEMENT PROCESSES AND ISSUES

Presented at
Public Hearing
Governors's Interagency Council on Growth Management
Fresno, California
July 19, 1991

The subject of these hearings is growth management. It is a subject that deserves the careful thought that a Council such as yours can provide, and I sincerely wish for you the patience and the wisdom to treat it with the sense of realism it deserves.

Growth management can include many processes and objectives. A total program must certainly consider the effects of growth, and the implications of those effects on the general public. It may also address the question of limiting growth where the effects are detrimental, but it must carefully weigh the benefits derived from growth against any detrimental effects. In theory, a growth management program sets some parameters to limit detrimental effects, and then gets out of the way of the market mechanism. This should be true of growth management programs both at the local level and at any level more regional in nature.

Growth management processes, unfortunately, all too often focus only on limiting detrimental effects. The consequences of those limitations, and the loss of all of the benefits of growth, are submerged to the desire to protect. Growth and development within communities then must become the enemy, because it is that process that causes so many of the problems we focus on - traffic, air quality, water supply, cost of expansion of city infrastructure, all made worse because of community growth.

The unfortunate reality of the matter is that as growth management issues are studied on a broader and broader regional scale, the ability to focus on anything but the detrimental effects becomes less and less. Communities are very different from one another, and the benefits of growth in a community reflect the nature of that community individually. It is difficult to design a regional program of any type that can promote growth in a way that is realistic to each of those communities. Thus, the more regional the issues, the more likely it is that a growth management program becomes a growth limitation program.

implemented by general standards that are intended to protect the universe. One only needs to think of the program elements in place today to realize that this trend is alive and well in California.

In the light of these feelings, then, a growth management process should have these characteristics:

The process should:

Look at growth impacts that have detrimental effects.

Help assure that the mitigation for those effects is both realistic and attainable.

Consider the benefits that are eliminated by the implementation of growth-limiting standards.

Attempt to balance the losses to a community with the benefits to the community from any actions.

The process should not:

Set standards that are not, or cannot be, tailored to match the needs of a local community.

Regulate on matters that are not absolutely essential to the general health and welfare.

Address local design standards on overall use of land, open space, or other visual quality of life issues.

Regulate items that can be regulated locally.

Air quality is an issue that fits the parameters for some regional attention. A regional air quality management body is now in place in this 8-County air basin, and growth issues will be treated by that group. Surface water management is another good example of a regional issue that is vital to an agricultural region like this one. That is also a good example of the inability of regional bodies (the State and the Federal Governments) to define a water management plan that realistically addresses the short and long-terms issues, and in this case there is already the authority and responsibility at these levels to do so.

Open space and park standards are good examples of issues that can and should be left to local decision processes. There is a typical issue of that sort currently playing out in the Fresno market. Public debate is going on over the financing of additional street landscape and park development through a city-wide assessment district. While the political process has been far from realistic, it is better in all respects than would be a standard handed down from some regional authority on the matter. The debate gives the residents of the area - in fact requires them to take - some responsibility for their community. In my opinion, that involvement in community design is more important in the long run than many of the standards being considered that ostensibly protect health and safety for the residents. It requires some thought, and that, though painful, is essential to good management for residents as well as politicians.

As this Council considers its recommendations to the Governor later this year, I would urge that you keep in mind some thoughts that reflect the sentiment described above:

Any process or standards must be sensitive to market dynamics.

Market mechanisms must be allowed to function, and in a manner suited to the local conditions.

Recognize that state-wide rules and regulations are likely to be correct for either the average case or the extreme case, which will make them truly suitable to no real community.

External standards take the latitude for decision-making away from the local community, and that should only be done where absolutely unavoidable.

Growth management processes have fiscal consequences to the local community that cannot be sensed by a regional body, and therefore cannot be adequately managed.

There is a valuable role that can be played by certain regional groups, such as COG's. The ability of a community to properly evaluate the impacts of growth depends on gathering of adequate data. Much of the data required is

regional in nature, and too diverse or costly for any individual jurisdiction to gather. The development and maintaining of adequate growth-related data bases would be a valuable and appropriate role for such technical agencies, and that role is encouraged.

I would like to spend a few moments addressing the issue of fiscal impact of growth management processes. The consequences are obvious, yet they are never discussed.

Local government depends on two primary sources of general fund revenue - property taxes and retail sales taxes. Recent trends in public financing have focused on "fee for service" processes to remove as many service costs as possible from the general fund. In Fresno, for example, the Development Department is now an enterprise operation, passing all of its costs, and its allocated overhead, on to the new housing market. This helps the general fund, but increased the cost of housing, including the threshold house that is the affordable or entry-level home. The community has in place an Urban Growth Management Plan, adopted 16 years ago, that very effectively assures that capital improvements necessary to support growth are in place and paid for. The burden for this process is placed on the developer, and thus the new home buyer. The general fund is relieved of the burden, and the process has certainly not restricted the market mechanism unrealistically. It is a good local solution to a community process.

The tendency to off-load most services from the general fund results in that fund being used for public safety - primarily police and fire. In Fresno, and I would imagine in most communities, the projection is that property and sales taxes are not sufficient to cover these costs. This is true in this community, and we are growing at a rate in excess of State average, and are among the leaders in population growth, economic growth, and housing affordability.

The realities of Proposition 13, which limits property tax increases to 2%/year, are that property tax increases are well below increases in the cost of services. The public safety divisions in Fresno just received an 8.9% increase in wages, which causes an equivalent increase in retirement benefits. The primary way a local jurisdiction can fill that gap is by encouraging new housing development and

existing unit resales, with housing assessed at market value rather than at the greatly reduced values dictated by Proposition 13. A brief example shows the effect of this difference. A home that sells for \$100,000 in 1991 would have an assessed value of \$119,500 in the year 2000. That same home, assessed at a 5% increase, typical of housing market rate increases, would have a market value of \$155,000. Even if that home were sold once during this decade, say in the 5th year, the assessed valuation would be \$138,000. Thus, the effect of Proposition 13 is to reduce property tax revenues to the local taxing jurisdictions by about 11%. This annual gap between increases in property taxes and increases in service delivery costs can only be covered by new development, which is assessed at market value. It takes an annual growth rate of 8-10% to fill this revenue gap, and that does not happen.

Given this on-going structural problem with the general fund, the fiscal impact of growth reductions is obvious. The ability of cities to fund operations cannot be maintained, with the only solutions eventually being reduction in services, artificial user fees, and of course the expectation that both State and Federal agencies will come to the rescue of local governments.

Loss of local revenue from any reduction in local growth goes far beyond tax revenue, including loss of construction spending, employment impacts, retail sales decreases, loss of school fees, all of which contributes to the growing inability of the local jurisdiction to cover escalating costs.

In summary, the following thoughts are offered:

Regional and state-wide growth management processes will tend to be implemented through average standards and requirements that will have the net effect of limiting growth below current market levels.

These processes will have a fiscal impact on local jurisdictions that cannot be reflected in regional or state-wide growth management implementation.

Local governments rely on growth to make up the annual gap between assessed valuation increases and service delivery cost increases.

The great danger in regional growth management plans is their concentration on limitation of harmful effects, while ignoring the realities of the fiscal dynamics of individual cities.

The conclusion must be that growth management should remain a local issue, where the balance between the positive and the negative effects of growth can be best assessed.

Thank you for the opportunity of sharing these thoughts with you, and I again wish you success in this significant task.

Michael Licciardello

Citizen Action

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STATEMENT OF NORA BENAVIDES
GROWTH MANAGEMENT COUNCIL
JULY 19, 1991

Mr. Chairman and members of the council, my name is Nora Benavides and I am director of California Citizen Action.

On behalf of Citizen Action and our large grassroots membership throughout central California and the remaining state, I am here to voice our concerns and recommendations on the issues of growth management.

Our communities in central California is faced with massive growth from a variety of industries. Our position is that while it is important that we grow economically, our governments have failed to grow responsibly. We have reached a boiling points in our communities where massive growth is being faced with poor air quality, poor transportation efficiency programs, and irresponsible land use planning and design towards transportation needs.

We continue share the same experiences in being faced with intolerable and costly congestion on urban and suburban roads with too many vehicles seeking to use limited roadway facilities, increasing isolation of rural residents, the poor, the elderly, those with disabilities and the willing workers for job opportunities, poor air quality, and the mounting dependance on the foreign oil are one of many issues.

Land development patterns dictate the nature of our travel demands. To enhance mobility and freedom of movement, greater attention, therefore, must be paid to how land is used, and how land is developed. It is important that our local governments promote and provide incentives for development that can meet the needs of our community in regards to air quality and transportation efficiency. With this we must continue to strengthen our multi rider and public transportation programs with quick incentives to both citizens and businesses.

If we attempt to cope with future growth in travel demand as we have in the past, through overwhelmingly dependency on single occupancy, personal vehicles, the crises will only but accelerate which will further undercut economic growth and degrade the quality of life for thousands.

Citizen Action feels that to avoid this prospect, we must begin to seek wiser ways to meet tomorrows mobility needs. If we are successful, we will bring forward a healthy future, both economically and environmentally. Thank you.

Citizen Action

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CONTROLLING AIR POLLUTION ACTION ALERT

PLEASE CALL THE ASSEMBLY NATURAL RESOURCES COMMITTEE, AT (916) 445-9367, AND STATE THAT YOU ARE OPPOSED TO SENATE BILL 352!

Despite its severe air pollution problem, the San Joaquin Valley is one of the fastest growing regions in the nation.

Emissions from automobiles driving to and from new housing developments, shopping centers, and office complexes increase air pollution by thousands of pounds per day.

In order to control smog from growth in the valley, the Unified Air Pollution Control District wants developers to pay to clean up the smog caused by automobiles driving back and forth to their new developments.

The Building Industry Association has mounted aggressive opposition to the Unified District's new rule. Senator Cecil Green (D-Los Angeles) has authored legislation, Senate Bill 352, to postpone the adoption of this rule in California until 1994.

Without the fees required by the new rule, the valley will not have the effective public transportation systems, rideshare programs, and traffic flow improvements needed to offset the increased smog from new developments.

Air pollution in the valley could increase by thousands of tons if adoption of this rule is postponed until 1994.

Senate Bill 352 has already passed the Senate. We need your help to STOP this bill in the Assembly Natural Resources Committee.

PLEASE CALL TODAY!
(916)445-9367

NO on S.B. 352.



Submittal
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CITY OF CLOVIS

CITY HALL • 1033 FIFTH STREET • CLOVIS, CA 93612

July 19, 1991

Governor's Inter Agency Council on Growth Management
c/o The Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Dear Councilmembers:

I am pleased to see the Governor's interest in the issue of Statewide growth management. It is clear that over the last several decades, there has been a lack of clear direction from the State level on overall issues of growth within California. While the State has a myriad of specific policies affecting various aspects of growth, they are often contradictory.

In addition to the need to address policies on water, air quality and transportation, the State needs to take a more active role in defining where growth and development should occur within California. Based upon such policy, the State could then utilize its resources to help with implementation. As an example, the location of important State facilities, i.e., universities, prisons, all can shape growth within the State. Further, through State policies on grants, loans, or other assistance, development in various areas of the State can be encouraged and supported.

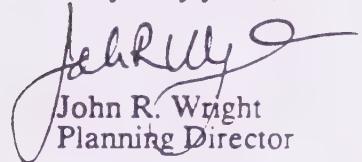
Without a State wide effort the accommodation of new housing within the Valley will continue to eliminate valuable farm land. Without a Valley-wide effort to direct this growth to the less productive areas within the Valley and along the foothills, the State will continue to lose one of its most valuable resources. The creation of a comprehensive plan for the eastern edge of the Valley including such elements as a new east side canal, freeway and high speed rail line could create the climate for a whole string of new cities along our Valley floor. We cannot expect the existing communities within the Valley to accommodate the future growth without affecting agriculture. We need to find new locations and provide the capital and support to get the started.

As a local planner, one of the real concerns that I have had with policies coming from Sacramento is that they too often treat local development as a single monolithic element rather than recognizing the great diversity which exists within this State. It may be wholly impractical to develop a planning strategy which works in the higher cost urban areas of the coast which and try to apply it to the communities within the Central Valley.

If the State is to achieve success and a partnership with local planning agencies, which bear the responsibility of implementing much of the State's policies, then they must be involved in and "buy into" the policies produced. Without this consensus, the policies rarely have the effect which was intended.

Thank you for the opportunity to share several thoughts with you.

Very truly yours,


John R. Wright
Planning Director



CALIFORNIA WOMEN FOR AGRICULTURE
GREATER WESTSIDE CHAPTER

8/12/91

August 12, 1991

State of California
Governor's Office
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

RE: Public hearings on Growth Management

Dear Council Members,

Attached is the policy adopted by the Greater Westside Chapter of California Women for Agriculture. We respectfully submit it to the Governor's Council on Growth Management, for consideration in this series of public hearings.

Sincerely,

Mari C. Locke Martin

Mari C. Locke Martin
Greater Westside Chapter
Land Use Task Force Director
P.O. Box 549
Firebaugh, CA 93622

Stacie Hanson

Stacie Hanson
Greater Westside Chapter
Legislative Task Force Director
Emergency Action Task Force Director
19767 North Hudson
Dos Palos, CA 93620

cc: Governor Pete Wilson
California Women for Agriculture, State Executive Board
Senator Henry Mello, Chairman Ag Committee
Assemblyman Rusty Areias, Chairman Ag Committee

California Women for Agriculture Greater Westside Chapter

California is currently faced with incredible land use questions which must be addressed immediately. California Women for Agriculture recognizes that growth is an inevitable part of our lives, particularly in California, but we also recognize that we must manage this growth in relation to our finite resources.

California Women for Agriculture feels that California agriculture must be a top priority when the discussion of land use takes place. The State California Women for Agriculture's Land Use Policy states in part:

California Women for Agriculture recognizes the importance of agriculturally sensitive land use planning. Land use policies and law should be fair, logical, and legally supportable; they should encourage consistent utilization of resources dependent on the suitability of the land. California Women for Agriculture proposes careful consideration of the following:

1. Participation of agriculturalists in the planning needed to guide development of growing communities, with attention to the economic as well as the environmental implications.
2. Orderly, balanced utilization and conservation of land resources, taking into account the social and economic needs of the peoples of the area, and of the state, nation, and world.
3. Local establishment of stable urban-rural boundaries to prevent encroachment of urban uses into economically productive farmland.
4. Maximum planning at the local level.
5. Local zoning that allows farmers to farm.
6. Utilization of all presently owned public lands before more such lands can be acquired.
7. State guidelines for incentives to continue agricultural production.

The importance of agriculture to the State of California is exemplified by the following facts:

1. Today California farmers are able to produce the best quality and safest food and fiber in the world, and at the lowest cost, not only because of the efficient use of land and water, but also because they must follow stringent rules, regulations, and guidelines.

2. California produces 50 % of the nation's fruits, vegetables, and nuts. Of this, 99% of the artichokes, dates, figs, kiwifruit, olives, pistachios, pomegranates, prunes, raisins, and walnuts that are produced for commercial sale are grown in California.

3. California's agriculture, along with industries directly related to California agriculture, contribute 10% to California's GNP, which translates into about 70 billion dollars. Of this, production agriculture alone contributes 17.6 billion dollars. One out of every six jobs is ag-related. California is at the top of the United States in farm production and Fresno County alone ranks higher in farm production than 25 other states' entire production.

4. California's population numbers may no longer be ag-related but California's economic numbers still are. Directly, or indirectly, the future of California's farming affects every Californian either at the dinner table or in the paycheck. For 1 in 6 Californians it affects both. California's policy makers should not be short-sighted, or let the fact that production agriculture represents only 2% of the population skew their decisions.

In short, the protection of ag land should be the highest priority in California's future growth management. Rampant growth in many of our counties is having a damaging affect on our land, air, and water resources. Without a better handle on the current growth onto prime farmland, the number one ranked ag state is headed for a slow death.

Tremendous growth in the housing market is turning many communities into nothing more than "bedroom communities". These high maintenance communities which have a tax base made up of housing rather than industry are finding their infrastructure needs are not being met. As this expansion continues, much of California's ag land is being taken out of production only to be covered with yet more homes, losing a low tax base, low maintenance industry to low tax base, high maintenance homes.

As the cities move into farming areas, direct conflict occurs between agriculturalists and urban dwellers. Conflicts are not only over water and air pollution, but also over agriculture's cultural practices done out of necessity to utilize favorable weather conditions or beat adverse weather:

aerial spraying - low flying aircraft, noise, night and early morning hours, and types of chemicals
tilling of the soil - dust created
harvesting and all other cultural practices - night and early morning hours

As mentioned above, there are numerous problems facing California today, but there are also alternatives and solutions, the most important of which is to grow within the means of our precious resources.

The water situation in California is reaching a critical point. This resource is being tremendously taxed, particularly now in a fifth consecutive year of drought. It truly does not make sense to continue to develop new areas of housing. One acre of farmland uses almost the same amount of water as one acre of houses. Typically, water for urban use is used once and then discarded. Ag water is used for irrigation, then flows into streams or drains, is picked up to be reused downstream, and percolates deep into the ground - recharging the groundwater each step of the way, completing the hydrological cycle. As urbanization covers open land with asphalt and compacts soil for building pads, the hydrological cycle is disrupted in two ways. The water that is applied to soils doesn't have a chance for deep percolation and the amount of plant transpiration is decreased significantly. The hydrological cycle is an important key to groundwater recharge. Groundwater makes up for 60% of water used during droughts. This finite resource has to be recharged as much as possible and should never be looked at as an *infinite* supply.

Water is an expense to farmers either by buying surface water by the acre foot or by paying power costs for pumping groundwater. Farmers efficiently use water, proven by consistently better yields with the same quantity of water used. Consumers are directly benefited by farmers use of water. It might be stated that people drink 1/2 gallon per day, but they eat 4,533 gallons per day.

Air quality is another precious resource currently endangered in California. California has extremely stringent guidelines and standards for air pollution, yet those standards are often exceeded. Air pollution in the central San Joaquin Valley (Central Valley) alone has been responsible for tremendous production losses. Melons, beans, and grapes have losses calculated at 20% while alfalfa, cotton, citrus, and potatoes have losses of 9%-15%. As the air quality continues to degrade, the economic viability of production agriculture diminishes as does the health and quality of life for the Valley residents. The unique characteristics of the Central Valley air basin must be a major consideration in the planning process.

Ag land in California is a unique resource. The longevity of agriculture is directly related to the land of California. As stewards of the earth, California farmers have been maintaining and regenerating the earth, while feeding a hungry world. At the national level, 1 farmer feeds 114 persons - 92 in the United States and 22 overseas, and the United States consumers spend only 11% of their gross income on food. California agriculture's ability to produce an abundant, low cost food supply is attributed to:

1. California's fertile soils
2. a unique climate
3. a developed water system
4. a skilled work force
5. a transportation network that lends itself to intrastate and interstate deliveries, and easily accessed ports for sales in international markets.

These are just a few excellent reasons why production agriculture is tied to the land of California's unique agricultural areas. Production agriculture does not have the ability to relocate, compared to the 1 in 4 manufacturers planning to relocate outside of California.

California ag land should most definitely be treated differently than other open space! Instead of new development devouring "cheap ag land," we propose that the state of California preserve the Central Valley's agricultural land. The preservation might take on a form similar to that of the Williamson Act which gives farmers tax incentives, but also allows an "out" if one ever became necessary , which other preserves (or trusts) haven't allowed. The Williamson Act contracts have long protected many acres of ag land, yet the Act is being reviewed with every unbalanced budget that passes before California's state and county governments. We need tax incentives that include all areas of agriculture, yet are not challenged by fiscal shortfalls. A key to keeping production ag viable in California is keeping the tax to revenue ratio relative. The farmer cannot afford to pay the tax rate of lands valued at commercial development or residential use.

We suggest moratoriums on new building (until the short-term and long-term ramifications of the current population explosion can be assessed), as well as restrictions on the commercial and residential development on prime ag land, and the creation of incentives for redevelopment. Redevelopment of inner cities and abandoned industrial areas is attractive as the infrastructure is already in place, thereby eliminating new development costs and decreasing costs to the taxpayers. Another suggestion is for every (x) acres developed, then (y) acres must be redeveloped.

Farmers have been farming in California for well over a century and have served the state well, building a solid economy. Agriculture has helped shelter the state in good times and bad, the most recent being a mild recession. The same has been true of other ag-based economies across the entire United States. For a microscopic look at what could happen without ag, look at the east side of the Central Valley and all the ramifications of last year's freeze. The unemployment rate rose from 12.3% in February 1990 to 21.6% in February 1991 in Tulare County. Or you might prefer to examine any other country which has come to rely on other countries for its major food source. We certainly do not want to become dependent on other countries for our food as we have for our oil.

The precious natural resources - air, land, and water - that California production agriculture must have to exist, are diminishing rapidly as population growth runs rampant. The health of the ag economy is at stake. A sane, disciplined approach to growth and land utilization is imperative for the long term health of California, the Central Valley, and all Californians, as well.

Note: This policy has executive approval of the Greater Westside Chapter of California Women for Agriculture.



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Sources

Bank of America, "Economic and Business Outlook", July 1991

California Department of Food and Agriculture, "California Agriculture 1989 Statistics"

California Chamber of Commerce, "Alert", Vol.17, Num.19, 5-24-91

Employment Development Department

University of Davis, "California Agriculture", Vol.45, Num.3, May/June 1991

Water Education Foundation, "Western Water", Mar/Apr 1991